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Illustration: Lya Edwards
Design: Rachel Jefferson

Political Climate Change

Paul Krugman, president of the Hillary Clinton fan club, writes in his *New York Times* column that if Barack Obama gets the nomination, there is no chance “that we will get universal healthcare in the next administration.” He has criticized Obama for not supporting mandates, as Clinton does, that require everyone to buy insurance.

Lost in this debate is one stark fact: Neither Clinton nor Obama are proposing a clean break with our for-profit insurance system.

Both Clinton’s and Obama’s plans allow for the possibility of a public plan replacing private insurance at some point in the future. But given the realities of Washington, it is easy to imagine a scenario in which the public’s money would subsidize a grossly expensive and inefficient private system into the indefinite future. At a time when progressives are starting to dream big again, why settle for a compromise with Corporate America?

Critiquing the Clinton plan in a *Times* op-ed in December, Drs. Steffie Woolhandler and David U. Himmelstein wrote, “The ‘mandate model’ for reform rests on impeccable political logic: avoid challenging insurance firms’ stranglehold on healthcare. But it is economic nonsense. The reliance on private insurers makes universal coverage unaffordable ... [O]nly a single-payer system of national health-care can save what we estimate is the \$350 billion wasted annually on medical bureaucracy, and redirect those funds to expanded coverage.”

There is really nothing to debate. According to Physicians for a National Health Program (pnhp.org), Canadians, who have a single-payer universal system, spend far less per capita on healthcare and have better access to it than Americans.

The point is not that Clinton and

Obama should see the light and endorse single-payer universal healthcare. That would be too much to expect, considering that the two candidates have taken \$2.8 million and \$2.2 million, respectively, from the healthcare sector, according to the Center for Responsive Politics website (opensecrets.org).

Progressives should reject the convoluted public/private hybrid systems championed by Krugman, Clinton and Obama, and say, “No thanks, we can do better.”

But why stop there?

An out-of-control War Department (as it was called until the age of polite euphemisms) will eat up 56 percent of the proposed discretionary budget for 2008, at a time when many urban and rural communities have Third World school systems.

Our criminal injustice industry has created a whole class of separate and unequal citizens: poor young men (and women)—white, black and brown—who cycle in and out of court and prison.

Candidates can’t be—and shouldn’t be—the vehicle for all of our hopes and dreams.

Clinton, Obama and others who aspire to federal office are constrained by the political realities of a system that was bought and paid for long ago.

Fortunately, we the people owe nothing to special interests. It is our job as advocates, activists and agitators to change the political climate in which politicians operate and to make the wrath of the angry multitude more fearsome than the displeasure of the lobbyist.

To quote an old song, “We want no condescending saviors, to rule us from their judgment hall.” Universal, single-payer healthcare? Functioning schools? Well-paying jobs for the dispossessed? We can do it.

—Joel Bleifuss

IN THESE TIMES

“With liberty and justice for all...”

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mixed reaction

JUST THE FACTS



39,000 Annual fee, in dollars, necessary to be considered eligible for an invitation to the World Economic Forum in Davos, Switzerland, which was held Jan. 23-27.

20,000 Admission fee to attend the conference (not including private planes, limousines and designer ski outfits).

12,200 Annual salary of full-time minimum wage U.S. employee, without vacation.

800 Price of the most expensive bottle of wine served during the Thursday dinner at the World Economic Forum.

“With all the talk about how to stimulate it, you’d think that the economy is a giant clitoris.”

—BARBARA EHRENREICH

LABANARAMA BY TERRY LABAN



QUID PRO QUO

THE QUID:

On Sept. 6, 2005, former President Bill Clinton flew into Kazakhstan on the private plane of his friend Frank Giustra, a Canadian mining magnate. Clinton and Giustra were there to meet with Kazakh President Nursultan Nazarbayev, once described by the *Independent* of running “one of the most nepotistic, ruthless and corrupt regimes in Central Asia.” That didn’t stop Clinton, however, from calling

for Nazarbayev to be appointed as head of the Organization of Security and Cooperation in Europe, which has helped ensure proper and transparent elections in Eastern Europe and Russia.

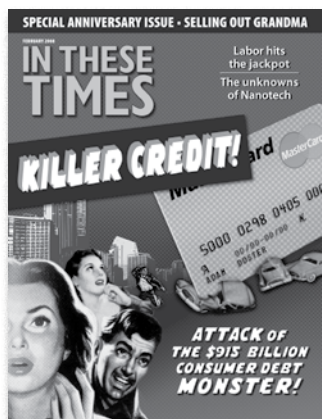
THE QUO:

Clinton’s statement, a propaganda coup for Nazarbayev, didn’t hurt him or Giustra. Two days later, Giustra’s tiny mining company was allowed to buy into three uranium mining projects run by Kazakhstan’s state-owned



uranium agency. As for Bill, he did OK too. A couple months later, Giustra made a secret \$31.3 million charitable donation to the William J. Clinton Foundation.

letters



Displeased, But Not Disowning

I was so happy to read the responses to Joel Bleifuss' dismissal of Ralph Nader's candidacy (Letters, February 2008).

Back in 2004, Joel gave us Nader people a scolding because we were undermining Sen. John Kerry's chances to defeat Bush. I promptly answered this with a letter published in the Oct. 26, 2004 issue. I ended my letter with, "So, in spite of Joel Bleifuss and my wife, I'm voting for Nader."

I'm alone now, not counting two dogs and four hard-luck-story cats. But the next time I feel the overwhelming presence of my wife (most survivors know about this sense of being), I'll blissfully tell her about the current letters.

Like so many of your readers, I am a longtime subscriber and contributor to *In These Times*. I'm 84 now with little hope for immortality, so I want you to know I'm not mad at Joel and you're still in my will—but not for 50 grand.

Stewart MacMillan
Guffin Bay, N.Y.

Retread Or Refreshing?

Last June, I retired after teaching for nearly a quarter century in an inner-city school in south Los Angeles. If I could have a nickel for every time I reprimanded a student for using the n-word, I'd be richer than Bill Gates.

I have heard variations of Salim Muwakkil's argument for the past 15 years. ("Nas: Whose Word Is This?," February 2008). Same old, same old.

With my students, educa-

tion in reality, it has not been side-stepped at all.

I have long thought that if everyone used it, if blacks owned it more than just among themselves, it would lose its power, just like other former taboo words that have become commonplace in our language.

Political correctness is out of control. Let's kill that along with racism.

John Hardin
Chetek, Wis.

The n-word was one word I banned from my classroom, because we cannot move to the future if we still use the terminology of the past.

tion always began with Lesson One: The names we call ourselves and others reflect how we view the world. And the n-word was one word I banned from my classroom, because we cannot move to the future if we still use the terminology of the past.

William Joseph Miller
Los Angeles

As a 61-year-old white guy whose parents taught him not to say nigger, and who uses the word sarcastically or satirically with friends, I find Salim's column refreshing. He, and *In These Times*, actually use the word in print.

The "n-word" stupidity really annoys me. The word is "nigger"—whether it is used by blacks or by the KKK. When people say "n-word," everyone thinks "nigger," so,

Bound and Gagged

As an attorney with a consumer protection practice, I read with interest Adam Doster's "Killer Credit" (February 2008).

Most of what he wrote is, unfortunately, horrifyingly true. But I have a cavil about one statement. He writes that lenders bury stipulations in 30 pages of six-point type, including "non-binding arbitration" agreements.

In my experience, all too often lenders get borrowers to sign *binding* arbitration provisions. The difference is important. Arbitration is much more expensive than mediation, especially critical since many borrowers are just making ends meet as it is. And if the arbitration is binding, you're precluded from rejecting the arbitrator's

award and going to court.

I warn my clients, "*never* sign any agreement containing an arbitration clause." It is a carte blanche to take advantage of the borrower.

James J. Martin
Via E-mail

Sweet Home NOLA

Lewis Wallace seems to suffer from selective reporting ("First Came Katrina, Then Came HUD," February 2008).

While I was discouraged by the excessive force used by the New Orleans Police Department in dealing with the protesters trying to attend the city council meeting about the demolition of public housing units, it should be noted that some protesters crashed the gates and tried to force themselves past the officers.

Inside the council chambers, fire marshals were on hand to ensure that the crowd did not exceed fire code limits. When security officials repeatedly asked some of the protesters to have a seat, the protesters attacked them.

It is also naive to think that these buildings are inhabitable again without costly renovation—renovation that would far exceed the cost of building new units.

Kevin J. Fitzpatrick
New Orleans

CORRECTION

In "Selling Out Grandma" (February 2008), The Carlyle Group purchased Manor Care for \$6.3 billion, not for \$6.3 million, as the piece stated. We regret the error.

contributors

Dear Reader,

With this issue we bid a sad farewell to Associate Publisher Erin Polgreen, who has been at *In These Times* since September 2005. Erin is taking a new job at the Media Consortium, where she joins Tracy Van Slyke, the former *In These Times* publisher.

And we are happy to announce that Adam Doster, whose work appears regularly on these pages, joins the staff as acting web editor. Adam graduated from the University of Michigan in May 2007, where he was co-founder of the *Michigan Independent*, a progressive monthly magazine. If you have ideas for *InTheseTimes.com*, you can reach Adam at adam@inthesetimes.com.

Finally, all of us here at 2040 N. Milwaukee are happy to welcome back Senior Editor David Sirota as a regular contributor. Sirota (www.DavidSirota.com) is author of the *New York Times* best seller, *Hostile Takeover: How Big Money and Corruption Conquered Our Government—and How We Take It Back* (Crown, 2006). Read his story on page 30.

Cheers,



Joel Bleifuss
Editor & Publisher

YOUR IDEALS CAN LIVE ON.

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For more information call Anna Grace Schneider at 773-772-0100 x 242 or e-mail her at: anna@inthesetimes.com.



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JARED BERNSTEIN is a senior economist at the Economic Policy Institute and author of the forthcoming book, *Crunch: Why Do I Feel So Squeezed? (And Other Unsolved Economic Mysteries)* (Berrett-Koehler, 2008).

LAWRENCE MISHEL is president of the Economic Policy Institute.



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Russian First Deputy
Prime Minister Dmitri
Medvedev attends a meeting
in Krasnodar, Russia on Jan. 31.

From Autocracy With Love

Meet Dmitri Medvedev, President Putin's hand-picked Kremlin successor

BY FRED WEIR

MOSCOW—EVEN AS ONE-HORSE RACES go, Russia's current presidential campaign lacks suspense.

There seems little doubt that President Vladimir Putin's anointed successor, Dmitri Medvedev, will coast to an overwhelming victory when Russians go to the polls on March 2. Medvedev, a 42-year-old Kremlin functionary, may not be a familiar figure to Russian voters, but he makes up for that by having served as a loyal aide to Putin and, since 2001, as chairman of Russian natural gas monopoly, Gazprom.

Even before the campaign officially kicked off in late January, Russia's three

state-run TV networks began inserting Medvedev into the top of every news broadcast—as if his current job as first deputy prime minister in charge of social projects had suddenly become the most important post in government.

Not that Medvedev plans on actually campaigning. He has officially declined to debate his three opponents, and his office says he'll spend the month-long election campaign doing his regular job.

Like his predecessor and mentor, Putin, who built Russia's now fully blown system of "managed democracy," Medvedev has been plucked from relative obscurity and handed a job whose key challenge involves mediating—and sometimes

banging heads in—disputes between the country's fractious elites.

"There is a great deal of behind-the-scenes struggle going on between insider interest groups, but any real competition between forces and ideas in the public sphere has been severely limited by the authorities," says Andrei Ryabov, an expert with the Gorbachev Foundation, a think tank founded by the former Soviet leader. "We can't really call these 'elections,' since the real contest is already over."

Three candidates are on the ballot besides Medvedev, including two tame opposition politicians from the 1990s: Communist Party leader Gennady Zyuganov and oddball ultranationalist Vladimir Zhirinovskiy. Also in the running is Andrei Bogdanov, the hitherto unknown leader of the tiny but supposedly liberal Democratic Party, whom many experts suspect of being a Kremlin stalking horse.

Any contenders who might have at least injected some excitement into the campaign were weeded out before it began. First to go was chess champion Garry Kasparov, head of the anti-Kremlin Other Russia coalition, who found it impossible to even rent space in which to hold his nominating conference. Former Deputy Prime Minister Boris Nemtsov, a leader of the liberal Union of Right Forces, pulled out in late December, saying he didn't want to legitimize a "farcical" election. And Russia's Supreme Court ruled in January that ex-Soviet dissident Vladimir Bukovsky was ineligible to run because of his longtime residence in Britain.

Getting rid of Mikhail Kasyanov, who served as prime minister during Putin's first term, proved more difficult. Kasyanov, saddled with the reputation of being a corrupt politician and lackey of Russia's big business oligarchs, had little chance of getting elected. But as a former Putin insider, he might simply have known too much to be given a public platform.

"It's possible the Kremlin has decided that Kasyanov is too unpredictable to allow in the race," says Ryabov.

Kasyanov was struck from the ballot

after an official review discovered that 14 percent of his 2 million nominating signatures were alleged to have been forged. Kasyanov denied any wrongdoing and noted, accurately, that democracy in Russia is dead. "Hopes that the political process will develop within the constitutional field have not been justified," he told journalists after he was disqualified in late January.

Polls suggest more than 60 percent of Russians will vote for Medvedev, though the solidity of that support is in doubt.

In a late January survey by the state-run polling agency VTsIOM, 76 percent of respondents said they expect Medvedev to win the elections, though only 53 percent thought he would be capable of "handling his presidential duties."

In a poll in late December by the independent Levada Center, 42 percent said Medvedev's main strength was Putin's "trust in him," while just 4 percent pointed to his "independent position."

Therein lies the biggest threat to the success of "managed democracy." Putin, whose own public approval ratings consistently top 80 percent, does not appear

ready to leave. In December, he ran for parliament as head of the pro-Kremlin United Russia party, which won almost two-thirds of the votes. That victory mandates that Putin continue as "national leader" even after he steps down as president, says Sergei Markov, a parliamentary deputy for the United Russia Party.

"The Russian people have made it clear they want Putin to continue influencing policy, and that's a democratic reality," says Markov.

Putin has agreed to serve as Medvedev's prime minister, but in Russia, that's a figure who is appointed by, and serves at the pleasure of, the president.

"Russia is not a country that has much experience with divided power; Russians are used to having a single supreme leader," says Masha Lipman, an expert with the Carnegie Center in Moscow. "It is not at all clear how this Putin-Medvedev tandem will work in practice. In fact, it seems to be fraught with future instability." ■

FRED WEIR is a contributing editor to *In These Times*.

Salties Ordered to Swish and Spit

ZEBRA MUSSELS, "BLOODY red shrimp," quagga mussels and round gobies are a few of the invasive species that have hitched a ride into the Great Lakes in the ballast tanks of ships over the past half-century. These critters have devastated native organisms and infrastructure, costing billions of dollars per year in harm to the fishing industry and to water intake systems. Zebra mussels alone cost U.S. taxpayers from \$1 billion to \$5 billion annually.

Most invasive species in the Great Lakes came from fresh waterways in Asia and Eastern Europe, and were transported in ballast tanks—containers holding a mix of water, sediment and seaweed that's pumped into ships to stabilize them when they are not weighed down with cargo. When a freighter takes on a load, the ballast is pumped out.

For decades, environmentalists, legislators and fishermen have been demand-

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GREYWATER GUERRILLAS

Most people are unknowingly flushing liquid money down their drains. That's because one-third of the water we consume can be reused instead of being sent to a sewer system—a waste of both money and gallons of “greywater.”

Greywater, or untreated wastewater from bathtubs, showers, wash basins, washing machines and laundry tubs, can be reused for outdoor irrigation via a system that reroutes the untreated water's journey to the garden before it goes to the sewer or connects to toilet water (called blackwater). In turn, the plants and soil filter the water and reduce the need for fresh water irrigation.

Among those promoting this innovative approach is the Greywater Guerrillas, an organization comprised of “educators, designers, builders and artists who educate and empower people to build sustainable water culture and infrastructure,” according to the group's website. It's based in California and Montana.

The site provides information on everything from home water use (and reuse) to plumbing basics to rainwater harvesting.

In addition to the website, the Greywater Guerrillas edited *Dam Nation: Dispatches from the Water Underground*, an anthology serving as a do-it-yourself guide that also investigates the economical and environmental impact of water.

For more information, visit www.greywaterguerrillas.com.

—Rose Anne De Leon



ing ballast water regulation.

Starting this shipping season in March, a rule passed by an arm of the U.S. Department of Transportation called the Saint Lawrence Seaway Development Corporation will provide what advocates call a sorely needed stop-gap solution.

All ocean-going ships will have to rinse out their empty ballast tanks with seawater at least 200 nautical miles from the mouth of the Saint Lawrence Seaway that leads into the Great Lakes. This saltwater “swish and spit,” as it is known, kills most freshwater invasive species. Advocates call this a big improvement on previously existing guidelines—wherein U.S. Coast Guard regulations mandated that ships develop and report individual ballast water management plans.

“The shipping industry was saying they only wanted to work with the Coast Guard, but the Coast Guard wasn't getting the job done,” says Joel Brammeier, of the Alliance for the Great Lakes, a Chicago-based advocacy group.

The 1990 National Aquatic Invasive Species Act already mandates that ocean-going ships clean their ballast tanks at sea. But that law includes a loophole for ships claiming to have “no ballast on board.” Known as NOBOBs, these ships make up about 90 percent of the ocean-going freighters—or “salties”—entering the Great Lakes.

Most salties arrive without ballast because they are loaded with cargo. But a residue of plant and animal life remains in the tank, and once a ship unloads at a port, it takes on ballast water that then travels to another port, where it empties the ballast—along with invasive species.

The new rule, however, applies to all ships, including NOBOBs. “This rule is good but not good enough,” says Jeff Skelding, national campaign director of the Healing Our Waters-Great Lakes Coalition, a regional network of various environmental and advocacy groups. “Flushing will get rid of many but not all of the organisms in those tanks.”

Ballast can be sterilized through several methods, such as using ultraviolet light, chlorination, filtration, de-oxygenation or chemicals.

In 2007, Michigan passed legislation



Zebra mussels washed up on a Lake Erie beach.

requiring ships to certify their ballast treatment before docking at state ports. The law has so far survived an ongoing legal challenge from the shipping company Fednav International. Fednav, which didn't respond to an interview request for this story, has argued the law interferes with interstate commerce rights.

Wisconsin and Ohio are considering laws similar to Michigan's. Meanwhile, the Port of Milwaukee is working on a system to dump ballast onshore and treat it before returning it to Lake Michigan.

On the federal level, industry-supported legislation pending in the House and Senate would require ships to have on-board ballast treatment systems by Dec. 31, 2013. But the Coast Guard would be in charge of enforcing the law, and it could delay implementation indefinitely if it deems adequate technology for on-board treatment is not available.

The Alliance and other environmental groups oppose the federal legislation because, along with lacking an enforceable deadline, it would preempt state laws like Michigan's and would not force ships to comply with the Clean Water Act.

Last May, a coalition of environmental groups proposed a moratorium on ocean-going vessels in the Great Lakes until Congress passes meaningful ballast regulation legislation.

“It's a no-brainer,” says Brammeier. “People are so frustrated because we know what the problem is and we know what the solution is, but no one is doing it.”

—Kari Lydersen

AMA's Conflicted President

DR. NANCY NIELSEN's résumé is exhaustive. Currently a clinical professor of medicine and senior associate dean for medical education at the University of Buffalo School of Medicine and Biomedical Sciences, Nielsen has worked for the New York State Department of Health and has held various leadership positions in the American Medical Association (AMA). So it's not surprising that the AMA voted her president-elect last June, only the second woman to hold the post. Yet other jobs on Nielsen's résumé have alarmed some progressive healthcare advocates.

From October 2004 to July 2007, Nielsen served as chief medical officer of Independent Health Association, a Buffalo-based HMO. Although AMA spokesperson Brenda Crane notes that Nielsen ended her affiliation with Independent Health upon receiving her promotion at the AMA, her tenure raises flags for Geri Jenkins, president of the California Nurses Association, a healthcare union.

"I think you have a conflict when you have someone in that position who's worked for an insurance company and is also a physician who's going to run the AMA," Jenkins says.

Since 1996, Nielsen has also sat on the board of the Medical Liability Mutual Insurance Company, one of the country's largest medical liability carriers. While some Republicans have embraced medical malpractice reform as a virtual cure-all for America's healthcare crisis, critics contend that putting caps on non-economic damages provides unjustified protections for hospitals, HMOs and insurance companies, another potential conflict of interest.

In a vacuum, Nielsen's professional relationships might be considered inconsequential. But the AMA has a long history of thwarting progressive healthcare reform, which amplifies the importance of her connection to the insurance industry.

As early as the 1930s, then-AMA President Dr. Morris Fishbein wrote that a national healthcare program would cause "a weakening of national caliber," and sig-

nal "a definite step toward either communism or totalitarianism." When, in 1948, President Harry Truman called for the creation of a government-run national health insurance fund, the AMA characterized the bill as "socialized medicine" and campaigned against it.

Next came the 1961 battle over Medicare that pitted the Kennedy administration against a recently hired General Electric public-relations flak named Ronald Reagan. The future president recorded an LP titled "Ronald Reagan Speaks Out Against Socialized Medicine" that the AMA distributed to housewives across the country. "Operation Coffee Cup" architects suggested that women organize small gatherings, brew some java and listen to the dangers that a national healthcare system would invariably pose.

During the Clinton years, the AMA was active in the coalition that beat back "Hillarycare"—the Democrats' last attempt at major healthcare reform.

In August, the AMA launched a \$15 million advertising campaign that focused on the problems of the uninsured, hoping to persuade voters to cast their ballots in 2008 with the issue in mind. But this project has frustrated reformers, who contend that the organization's approach to achieving universal care—providing tax breaks and vouchers for those lacking coverage so they can purchase affordable plans—is too timid.

"At best ... the AMA is advocating a completely unproven method of achieving their ends and ignoring things that we know will work," says Dr. Stephanie Woolhandler, co-founder of Physicians for a National Health Program.

Given these realities, many doctors are turning their backs on the AMA. The medical news service MedPage Today estimated that the AMA represented only 15 percent of practicing U.S. physicians in 2005, down from 70 percent during the 1961 Medicare fight.

"A lot of younger doctors," says Jenkins, "have gone into other groups and organizations because they haven't always been happy with how the AMA is run and what they do."

States like Minnesota and Massachusetts show majority support among phy-

sicians for a single-payer system, and the American College of Physicians—America's second-largest physician group—endorsed such a proposal in December.

That's made no difference to the AMA. "The AMA has stuck with this position of vehemently opposing national health insurance," says Woolhandler, "despite a major shift in the physician community in terms of opinion."

With Nielsen at the helm, the AMA's intransigence seems likely to continue.

—Adam Doster



This 19th century ledger is preserved in the American Indian Records Repository.

Challenging Indian Land Trusts

ACROSS INDIAN COUNTRY, two things are never in short supply: rich natural resources and endemic poverty. That paradox is driving a longstanding battle between indigenous people and the government trust that holds money generated from their lands.

The class-action lawsuit, *Cobell v. Kempthorne*, targets a federal trust fund that handles revenues from activities like oil drilling and logging on land owned by individual Indians and tribes. The trust's financial operations—covering more than 56 million acres and dating back for more than a century—have left a spectacularly messy paper trail. Many beneficiaries say they are in the dark about how much has been paid out and what is still owed, and charge that the system has drained wealth

from Indian communities.

"We know that the government collected our money, but it hasn't been paid to us as individual Indian beneficiaries," says Elouise Cobell, a Blackfeet Nation member who initiated the suit in 1996 on behalf of several hundred thousand account holders.

The battle is finally drawing to a close. On Jan. 30, U.S. District Judge James Robertson ruled that the trust's finances are beyond salvaging. Calling for a settlement, he denounced the Interior Department's "unrepaired, and irreparable, breach of its fiduciary duty over the last century."

The decision builds on a 1999 ruling that ordered a management overhaul and a complete accounting—to comply with the trust's original mandate and federal reforms enacted in 1994. As *In These Times* went to press, the Interior had not issued a formal legal response to the decision.

The department has spent years retooling its accounting systems, but various court reviews found the trust in chronic disarray. Not only are financial records in-

accurate or missing, critics say, but many landowners have little information on their lands and lease activities, or even the value of their assets, aside from sporadic checks issued by the government.

The system disbursed about \$300 million to individuals and \$500 million to tribes last fiscal year, and holds hundreds of millions in individual-account funds.

Whatever the exact amount that has been unpaid, Cobell says, evidence of a swindle is strewn across Blackfeet territory. Though the earth is replete with oil, timber and other resources, she says, "there is poverty all over the place."

Around the turn of the 20th century, the government established the trust system to manage lands on behalf of Indians, based on the presumption that natives lacked the competency to control their resources. Today, the government says the trust functions primarily as an institutional conduit for land-based revenues, produced under agreements between landowners and business interests.

But the trust looks different from Jay

Dusty Bull's spread, which spans about 8,500 acres near Browning, Mont. To the 23-year-old Blackfeet member, his family's grazing leases provide a financial boost but hardly compensate for the theft his ancestors suffered.

"A hundred years ago, were our Indians—who didn't speak English, who couldn't read or write—given that same opportunity?" he says. "No. 'Sign an X here. Here's \$40.' Billions of dollars could have been taken off of our land a hundred years ago, and we don't know."

Defending its ongoing accounting work, the Interior argued that a "statistical sampling" of records for several thousand transactions had uncovered only a small percentage of errors, and that "additional work would neither produce a better result nor be cost effective."

But official probes haven't been so reassuring. In 2002, U.S. District Judge Royce Lamberth held then-Secretary Gale Norton in contempt for failing to initiate the historical accounting process years after Congress had mandated it. The Interior

appall-o-meter

1.2 Goodnight, Sweet Joyriders

It "really isn't a shock to any of us," Lorie Flaherty told the *Daily Camera* of Boulder, Colo., after her brother Michael died in a car wreck with two friends. A telephone pole bisected the vehicle, which was topping 100 mph before impact.

The stoic sister continued: "The thing that really makes me feel much better about this is they died doing what they loved to do—they were drinking, they were going fast and they were together. It gives me comfort, it does, to know those three things."

Amor fati in the land of NASCAR.

4.6 TCB by Day, STD's by Night

As every effective business leader knows, the surest way to seal a deal is to present the other guy with what looks like a win-win scenario.

David Colby, once widely respected in executive circles as an expert dealmaker, allegedly sent to a girlfriend this text message: "ABORT! Get rid of it. Have an abortion and we can be together."

The recipient of this sweet nothing has since sued Colby, reports the Associated Press, for welching on a promise to pay for her young son's brain surgery. He also allegedly infected her with herpes and chlamydia.

Colby apparently had his poker in a lot of other fires at the time. According to lawsuits, he has made as many as a dozen marriage proposals since 2005 and was courting an estimated 30 ladies in late 2007.

Last year Colby was dismissed as CFO of WellPoint, a large health insurance company he had helped create, for misconduct of a "non-business nature." The lawsuits have uncertain prospects, but a Hollywood producer is considering a book and movie deal.

6.5 WWM Seeks WWF, for Long Walks in Prison Yard

He strangled and dismembered his wife. She used a kitchen knife to kill her



two children, three dogs and pet mouse. Maybe it was inevitable that these mixed-up kids would find love in a Michigan correctional facility.

The *Detroit News* and *Detroit Free Press* report that a crazy but wonderful romance was budding in the Macomb County Jail. That's where murderer Stephen Grant and murderess Jennifer Kukla were being

held while awaiting trial for their crimes.

Between June and October, Grant and Kukla exchanged notes hidden under lunch trays or slipped under doors.

"I still laugh when I remember your one note," Grant wrote on Oct. 1. "You asked 'are you scared of me?' (LOL). You are too nice to be scared of. I just wish we could arrange a rendezvous in the closet one of these days. (Smiley face.)"

Could it have worked out? Alas, we'll never know. The two have gone on to long stretches (sad face) in separate pens.

—Dave Mulcahey

Department, he wrote, had “indisputably proven... it is either unwilling or unable to administer [the trust] competently.”

Court-appointed Special Master Alan Balaran reported similarly dismal findings. Inspecting a Dallas branch of the Minerals Management Office in 2003, he noted the “chaotic” disorganization of financial documents, along with the “unexplained presence of an industrial shredder”—before office staff forced him to leave.

Outside the courtroom, advocates have pressed Congress for legislation to completely overhaul the trust’s management and accounting systems. For many landowners, balancing the government’s books would be one small, overdue counterweight against a legacy of injustice.

“We need to have a much fairer process,” Dusty Bull says. “[We need to] make sure that our children, our grandchildren, our generations to come, do not have to go through the same process.”

—Michelle Chen

FDNY Spies

IN NEW YORK City, the Department of Homeland Security is training New York City firefighters to assist in gathering intelligence information during routine inspections and emergencies.

In November, the Associated Press reported that in New York, Homeland Security was testing a program called the Fire Service Intelligence Enterprise (FSIE) to help identify “material or behavior that may indicate terrorist activities.”

The Fire Department of New York (FDNY) and Homeland Security hosted a September 2007 conference in New York City to discuss plans for the new intelligence program. There, chief officers from fire departments in Chicago, Los Angeles, Washington, D.C., and 12 other U.S. cities met with NYC fire Commissioner Nicholas Scoppetta and officials from the Homeland Security Office of Intelligence and Surveillance. “Real-time intelligence and information leads to a heightened state of situational awareness,” Scoppetta said at the conference. “And situational awareness is key to saving lives.”

“We are not training firefighters to be intelligence gatherers or special agents,”

snapshot



BEIJING—A rail passenger carrying his belongings walks to a waiting room on Jan. 29. Fourteen provinces were hit by the worst winter storm in 56 years. Millions of travelers, on their way home to celebrate the Chinese New Year and the Spring Festival, were stranded at airports and on stalled trains. An unknown number of people have died as result of the weather. (Photo by China Photos/Getty Images)

says Jack Tomarchio, Homeland Security’s deputy undersecretary of intelligence and surveillance. “We are helping to provide crucial information to those people who are often the first responders.”

In 2002, the Bush administration proposed having bus drivers, mail carriers and telephone repair personnel spy on the American public as part of Homeland Security’s “Citizen Corps” initiative. The program, called TIPS (Terrorism Information and Prevention System), never made it past Congress. But because the FSIE is managed at the city level, it has bypassed federal regulation altogether.

The FDNY says the program is demanding nothing new from firefighters. “There has always been an expectation that if they see suspicious behavior they should report it,” says FDNY Press Secretary Jim Long. “Now we are just trying to share information between other cities with the help of Homeland Security. If we know that they are convenience store owners, and they have maps and blueprints of the Empire State Building, it is

obvious that something isn’t right.”

But the American Civil Liberties Union (ACLU) and the New York Civil Liberties Union (NYCLU) are troubled by the program. “When you start recruiting from every government agency for super intelligence, I think we run the risk of lots and lots of false alarms and distracting our firefighters from the job at hand,” says Donna Lieberman, executive director of the NYCLU. “If there is a fire in their homes, and people have to make sure there is nothing that will give rise to suspicion—like, in some people’s eyes, perhaps the Quran, or in other people’s eyes, a left-wing newspaper—that is a matter of concern.”

Civil liberties experts say this method of gathering intelligence may violate the right to proper search and seizure. Mike German, a former FBI agent and current ACLU Policy Council on National Security, said on MSNBC’s “Countdown with Keith Olbermann,” “There is actually still a Fourth Amendment.”

—Colin Meyn

BY SUSAN J. DOUGLAS

A Foggy Kristol Ball



THE OP-ED PAGES of the *New York Times*, still the most influential and prestigious newspaper in the country, do not feature a regular column by a feminist, a Latino, an African-American woman, an Asian American, a young person, a Muslim, a lesbian or gay man. Or anyone from the working or laboring classes, for that matter.

Nonetheless, Publisher Arthur Ochs Sulzberger Jr. and Editorial Page Editor Andrew Rosenthal did feel it necessary to add another rich, right-wing white male to these pages. And not just any neocon, but William Kristol, editor of *The Weekly Standard*, Fox News bloviator and high-profile Bush propagandist.

Times Public Editor Clark Hoyt noted that the appointment was made to balance the “left-leaning” op-ed page.

Left-leaning? A left-leaning op-ed page would be staffed by Mark Crispin Miller, Laura Flanders, Michael Moore, Salim Muwakkil, Katha Pollitt or Matt Rothschild (to name just a few)—not David Brooks, Maureen Dowd and Thomas Friedman. So here is another example of how the right has succeeded in shifting our national common sense about the political spectrum.

Liberals like Bob Herbert, Paul Krugman and Frank Rich (who actually do their homework and present what are known as “facts”) must be balanced by those who are much farther to the right than these guys are to the left.

But at least that keeps those really dangerous voices from *In These Times*, *The Progressive*, *The Nation* and the rest of the independent press successfully quarantined—voices, I hasten to remind us all, that were consistently correct about the consequences of an invasion of Iraq.

The negative reaction to the Kristol appointment was swift and overwhelming. Hoyt reported that of the nearly 700 messages he got, only one praised the choice.

And Rosenthal’s mailbag exploded with vitriol. One reader called Kristol “a piece of filth” who should be “hung by the ankles from a lamp post and beaten by the mob.”

The appointment of Kristol was especially outrageous because he was such a flak for the war in Iraq, peddling the lies and fantasies that got the country into this mess.

Kristol had also proposed, on Fox News in 2006, that the *Times* be prosecuted for running a story about a secret government program that pried into Americans’ banking records looking for terrorists, and he called the paper “irredeemable,” making one wonder why Sulzberger and Rosenthal hired someone who likes to spank them.

Remember, this is a one-year “try out.” And while the *Times* feels it needs another conservative on its pages, does it really want a laughingstock?

In 2003, Kristol told Terry Gross on NPR’s “Fresh Air” that it was nothing more than “pop sociology” that the Shiite and Sunnis in Iraq didn’t “get along.”

And just before the war, Kristol predicted that “democratizing the country should not be too tall an order for the world’s sole superpower.”

Then there are the recent whoppers. In his first *Times* column, he predicted Sen. Hillary Clinton would lose the New Hampshire primary, and incorrectly attributed a com-

Kristol is a mean-spirited and dangerous propagandist, but he’s also really a dope and a stooge.

ment made by conservative Michael Medved—regarding former Gov. Mike Huckabee’s likeability—to conservative Michelle Malkin. He apologized the following week.

So let’s follow the lead of “The Daily Show’s” Jon Stewart who, in the wake of the *Times* appointment, played a soundbite in which Kristol predicted that former Sen. Fred Thompson would be a “formidable” presidential candidate and then asked “Oh, Bill Kristol, are you ever right?”

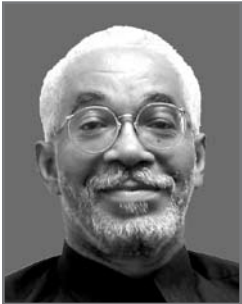
Between August 1998 and June 1999, Kristol made 85 predictions, of which 49 were correct, according to a “Pundit Scorecard” in the now-defunct media criticism magazine, *Brill’s Content*. OK, some may think that’s not bad. But to add to the fun, *Brill’s* brought in a 4-year-old chimp that was asked pundit-like questions, to which he shook or nodded his head, and the chimp beat out Kristol in accuracy.

“If you really want to know what’s going on, read Kristol and believe the opposite,” suggests Tom D’Antoni on The Huffington Post. James Fallows of *The Atlantic* pointed out Kristol’s “breathtaking banality” as a columnist. An unnamed reporter at the *Times* told *The New Republic’s* Gabriel Sherman “the first column was crap.”

Kristol is a mean-spirited and dangerous propagandist, but he’s also really a dope and a stooge, and this is what the *Times* should be reminded of on a very regular basis. ■

BY SALIM MUWAKKIL

How Black is Obama?



HOW CAN RACISM still be a problem if so many white Americans are willing to support a black man like Sen. Barack Obama (D-Ill.) for president?

This rhetorical question worries some analysts, who warn that Obama's prominence, ironically, could set back the struggle for racial equality. They argue that his transracial appeal would convince many

that the country has "transcended race," making them less supportive of efforts to redress slavery's legacy. Of course, Obama's intentions have little to do with this effect.

His path-breaking campaign and its implications are elements of a racial dynamic set in motion long before his white Kansan mother met his black Kenyan father. Their interracial union produced a son whose fame has triggered a substantive conversation about race and culture in a nation where it is long overdue.

Race as a concept emerged contemporaneously with the first burst of European capitalist expansion in the 18th century. Scientific texts like Carolus Linnaeus's 1786 work, *Systema Naturea*, had begun classifying humans according to new racial taxonomy, and African people usually wound up on the bottom rung of humanity's ladder.

These scientific "proofs" joined theological treatises and philosophical musings to implant white supremacy as European conventional wisdom. This mindset helps explain how the Founding Fathers rationalized (and condoned) the existence of racial slavery in a nation ostensibly based on freedom and liberty.

American slavery added wrinkles to the reigning conventional wisdom. In our version of human bondage, only Africans and their progeny were eligible—or "enslaveable"—and this perverse eligibility spanned generations.

This involuntary workforce was a collection of kidnapped Africans from a variety of ethnic groups. A brutal slave system and rigid racial hierarchy transformed these enslaved Africans into African Americans—a distinctive ethnic variation in the far-flung African diaspora.

Just one drop of African blood conferred blackness, and that helped ensure a ready supply of enslaved workers. Children sired by white slave owners and enslaved women

helped pad the workforces of many plantations and account for the wide range of complexions in the black community today. The notion of an inherent "blackness," then, is a concept of commerce, coined to justify European plunder. (Similarly, hundreds of European ethnicities were conflated into a confining notion of "whiteness.")

Despite Obama's hybrid racial pedigree, he is "black" by the one-drop tradition. Unlike most black Americans, however, his history is not framed by generations of racial subordination. This distinction is significant. Because Obama's ancestral narrative lacks slavery, his self-image likely lacks the wounds from that history. Although he had a more varied source of identity, Obama identifies as an African American and became conversant with the racial

choreography of American culture. White Americans likely sense the lack of racial grievance and respond gratefully. This gratitude helps explain why Obama mania has swept the nation.

The notion of inherent 'blackness' is a concept of commerce, coined to justify European plunder and maintain an enslaved workforce.

He openly embraces aspects of his blackness, as well, which allows whites to see him as an authentic repository of their historical guilt from which he can then absolve them.

In his 2006 book *The Audacity of Hope*, Obama notes "race fatigue" and writes that "white guilt has largely exhausted itself in America" as "even the most fair-minded of whites ... tend to push back against suggestions of racial victimization and race-based claims based on the history of racial discrimination in this country."

Some critics argue that Obama is intentionally accommodating this race fatigue. "Obama is playing to the perverse racial politics of the post-civil rights era," writes Paul Street in the webzine *ZNet*, "wherein the leading architects of policy and opinion have declared 'race' as a barrier to black advancement."

This is a complicated tale. When detractors of Obama note he lacks an ancestry framed by chattel slavery, they are making a valid point. What's more, white Americans are likely to view Obama's rise as a sign that racism is at bay.

However, they also may grow to understand that Obama's success charts the potential for many African Americans for whom the legacy of slavery lingers too long.

Obama's role as an exemplar of America's promise may prompt new efforts to open that promise for the millions of African Americans trapped on the low end. ■

BY H. CANDACE GORMAN

The Hippocratic Oath Dies in Gitmo



I HAVE BEEN REPRESENTING Abdul Al-Ghizzawi, one of my Guantánamo clients, for two and a half years. The day I took on his case, I knew little about him other than he was seriously ill. My goal from that day forward has been to ascertain what is wrong with Al-Ghizzawi and get him the medical care he needs.

In the fall of 2006, Dr. Jürg Reichen, a respected liver specialist at the University of Bern in Switzerland, filed an affidavit in which he testified that, based on the symptoms described by Al-Ghizzawi and based on my own observations of Al-Ghizzawi, it seemed likely that he was suffering from hepatitis B and perhaps liver cancer. Reichen would have been able to make a more conclusive diagnosis with my client's medical records, but the government has refused to turn them over.

In response to Reichen's affidavit, the government provided an affidavit from its medical director at the base, one Dr. Ronald Sollock. Sollock signed a sworn statement claiming that Al-Ghizzawi received a full medical screening upon his arrival in 2002 and had indeed tested positive for hepatitis. Moreover, he appeared to have contracted tuberculosis at some point in 2004. Despite these alarming diagnoses, Sollock insisted that my client was "just fine" (as if TB and hepatitis indicated good health).

Although Al-Ghizzawi signed a release allowing me to receive his medical records, Judge John D. Bates, a George W. Bush appointee in the U.S. District Court for D.C., refused to order the government to provide Al-Ghizzawi medical treatment, or me his medical records.

Bates found that I had not demonstrated that "irreparable harm" would befall Al-Ghizzawi if the government did not provide the medical care or records. How Bates could expect me to demonstrate that my client would suffer irreparable harm without my first having access to those very records is beyond me. I queried whether I would have to wait for my client to die before the necessary "irreparable harm" could be shown, but Bates refused to reconsider his Kafkaesque decision and I filed an appeal with the D.C. Circuit Court. Unfortunately for my client, that court has been too busy unraveling our Constitution and the appeal has sat untouched since late 2006.

At about the same time I filed the appeal, the dungeon masters at Guantánamo moved Al-Ghizzawi to the notorious Camp 6, a supermax facility where all of the prisoners are kept in severe isolation. The authorities had never considered my client to be a "problem prisoner" so I could not understand this punitive move. When I questioned military officials, they told me they had placed him in Camp 6 because that was the facility now being used for the general population. The cruelty of putting this seriously ill man in solitary confinement seemed beyond the pale, even for this bunch.

But now I wonder. I wonder about those tests that supposedly weren't ready when Sollock signed his affidavit. Did those tests show something that the military did not want to acknowledge? And is that the real reason Al-Ghizzawi was moved to Camp 6?

On Jan. 14, 2008, I received a letter Al-Ghizzawi wrote on Dec. 25, 2007 (a week after my last visit). In his letter, Al-

The dungeon masters at Guantánamo moved Al-Ghizzawi to Camp 6, a supermax facility where prisoners are kept in isolation.

Ghizzawi stated:

One American doctor in the same Camp where I am detained has confirmed that I have AIDS, and that's after my last visit to him during this current month (December) and has promised me he will do the necessary regarding these facts. Therefore, this will be my last witness on my infection with the sickness. Based on this, I would like you to ask the American government to provide some information on this case, and the reason they hid this truth all the time I am detained, and to also provide the necessary treatment.

So there you have it. We know from Sollock's affidavit that Al-Ghizzawi arrived at Guantánamo HIV-free in June 2002 and we know from Al-Ghizzawi that his health started to deteriorate in 2004. Upon learning of this AIDS diagnosis, I sent an e-mail to the government attorney asking if he would confirm or deny that Al-Ghizzawi has AIDS. Instead of answering my simple question, the attorney sent this unresponsive statement:

We are not privy to the particulars of what your client may have been told by his doctor, if anything, but Guantánamo provides high-quality medical care to all detainees.

I have a long list of individuals that should be tried as war criminals. Sollock has now leapfrogged to the top of that list, followed closely by certain attorneys. ■

BY LAURA S. WASHINGTON

Missing: Minorities in Media



AMERICA WAS BURNING. The riots unleashed by the April 4, 1968 assassination of the Rev. Martin Luther King Jr. were terrorizing cities across the nation.

Chicago was no exception. Warner Saunders got a desperate call from WLS-TV, the local ABC affiliate. They needed blacks on the air, and they needed them now. So Saunders, who was a community

activist and executive director of Chicago's Better Boys Foundation, signed up as co-host of a hastily arranged television special, "For Blacks Only."

The special, which aired in 1968, snared such high ratings that the station gave it a regular slot and kept it going for 10 years. Saunders eventually became a full-time reporter. Today he's the top news anchor at Chicago's NBC station.

Saunders' foray into TV news came weeks after President Lyndon B. Johnson's Kerner Commission report declared, "Our nation is moving toward two societies, one black, one white—separate and unequal."

The report, also known as "The Riot Report," released 40 years ago this month, was a response to the urban riots of the late '60s. Blacks, outraged over poverty and racism, took to the streets and shook up America's powers that be.

The commission produced an exhaustive look at media coverage of communities of color and responded with a key recommendation: If the United States hoped to cool down the searing anger in its inner cities across the nation, it must do a better job of covering African Americans.

The report's authors slammed the media, writing, "the journalistic profession has been shockingly backward in seeking out, hiring, training and promoting Negroes."

Four decades later, there has been undeniable progress. Our cities are no longer burning. Yet in many ways, we are running on ice.

Following '68, news organizations scrambled to find black faces and connections. For a while, they were actually plucking talented African Americans off the streets.

In 1978, the American Society of Newspaper Editors (ASNE) set a goal to have journalists reach parity with their proportion of the population within 25 years.

We are still waiting on the ASNE vow.

In 2007, the percent of blacks, Latinos, Asians and Native Americans working in America's daily newsrooms stood at 13.62 percent, a slight decline over the previous year, according to ASNE's annual newsroom census. Those groups represent 33 percent of the nation's population.

The numbers are not much better on the broadcast side. Local TV news shows boast about the rainbow of faces featured on the 10 o'clock news. But the real power lies with the news managers and producers who pick the stories and steer the coverage. That's the "if it bleeds, it leads" coverage that passes for real reporting. Crime victims, welfare mothers and child abusers are the stars of those shows. The public housing resident with the rag on her head, the

gang-banger slouching out his signs. It's a sensational and only small slice of African-American life today.

The decision-makers don't know any better. Most of them don't live in those com-

munities and they probably don't know too many of the people who do.

Meanwhile, journalists of color are leaving the media—voluntarily and otherwise—in droves. Some have collided with the glass ceiling. Others are being pushed out by the massive changes in the media's economy.

Ironically, at a time when the nation is on the cusp of electing its first black president, the press corps assigned to dissect the presidential race remains overwhelmingly white.

Every few years we get a "moment" when America wakes up to our long-festered racial divide—the '60s riots, the rebellion in South Central L.A., the Tawana Brawley debacle, the O.J. Simpson saga, Hurricane Katrina.

With each moment comes new promises to bring more people of color into the media discourse.

Last year, PBS host and correspondent Gwen Ifill was suddenly getting more airtime as an analyst on the major networks, like at her alma mater, NBC News. It should be because of her experience covering politics, her deep intellect and plainspoken charm. It's more likely because she took on Don "Nappy Head" Imus in the *New York Times*.

The Barack Obama Hope Machine promises us a new kind of racial moment in America. Let's hope it's an opportunity for lasting progress on the media diversity front as well. ■

At a time when we are on the cusp of electing our first black president, the press corps dissecting the race remains overwhelmingly white.

Escape From Recession

What you should know about the economic stimulus package

BY JARED BERNSTEIN AND LAWRENCE MISHEL

WE HATE TO FULFILL the stereotype of dismal scientists, but the news is bad: The economy is slowing sharply and may be in recession. The nation's broadest measure of growth, real gross domestic product (GDP), grew a scant annual rate of 0.6 percent at the end of last year. Unemployment has risen, and job growth has slowed sharply. The housing market has yet to hit bottom, and credit markets are still deeply chilled, if not frozen.

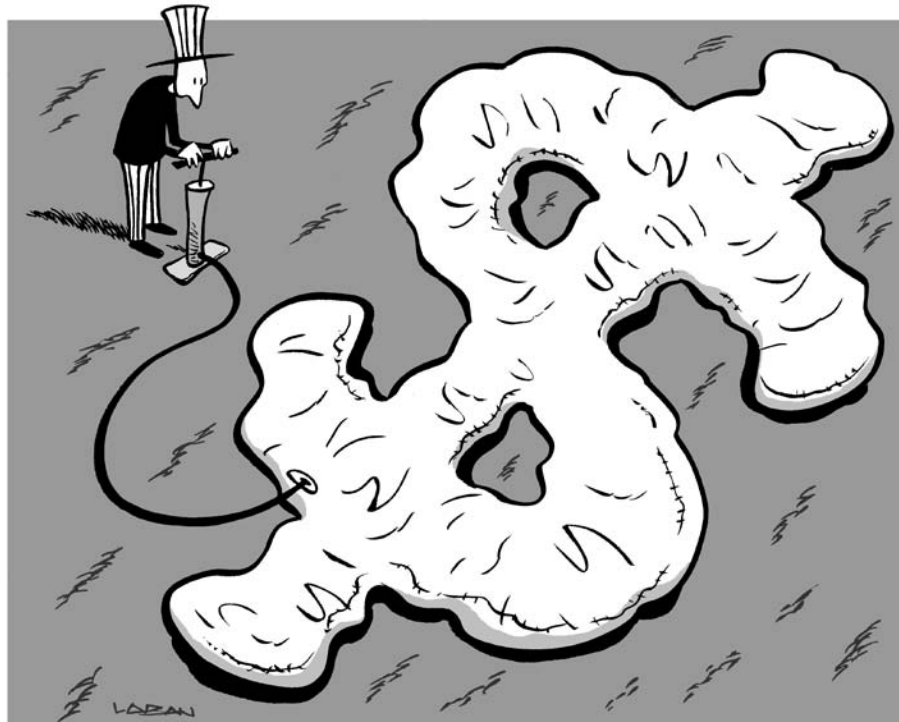
Here's the better news: When this type of scenario develops, the case for an economic stimulus package to offset the downturn is both simple and widely accepted. But there are many ways to craft a growth package, and if we don't get this right, we risk wasting big money while failing to mitigate the pain of recession.

As *In These Times* went to press, both chambers of Congress had passed bills, and their ratification looked all but certain. (President Bush had signed off on the House bill, and had agreed to support the Senate's package after it had been significantly scaled back.) The bills spend about \$150 billion this year and next on a combination of "tax rebates" (though that's really a misnomer) and business tax cuts.

Will that be good enough? Here's a Stimulus 101 primer, as well as a list of what we think is missing from the current economic recovery plan.

The basics

Economies depend on robust demand. When folks stop buying, when investors leave the room, when governments stop building and improving public goods, growth grinds to a halt. And when that happens, the job machine stalls, unemployment rises, those with jobs work



fewer hours, wages rise more slowly, and incomes decline, especially for the lowest earners and many minorities.

The last two recessions—in the early '90s and early 2000s—led to declines in the typical family's income by about \$2,500 (in today's dollars). That ain't peanuts.

Such a potential income loss is especially worrisome now, as the inflation-adjusted median family income actually remains about \$1,000 below where it stood in 2000. If recession is imminent, this would be the first time that real incomes at the end of a recovery have not exceeded those at the previous economic peak.

That fact might be the greatest indictment against Bushonomics and the "ownership society" he touted. It is a stark reminder that while the stimulus appropriately targets a short-term problem, the mechanisms that serve to fairly distribute

income have been broken for some time. Most families in the United States have not fared nearly as well as they should have, given their contributions to the growth we've experienced. The coming slowdown will only submerge them in deeper water.

That's what makes fiscal stimulus so necessary. By fiscal stimulus, we mean a temporary infusion of expenditures into the economy by the federal government to raise demand. The infusion necessarily takes the form of some combination of a reduction in taxes and spending increases.

We've also got more time than we think. Each of the last two recessions was short (eight months) in GDP terms, but far longer in terms that matter most to most people: jobs and unemployment.

Unemployment rose for 19 months after November 2001, which was the official end of the last recession, and employment

declined by another 1.1 million and did not start growing until September 2003. Had an effective stimulus package come late in the game, as officially measured, it would have helped shorten what turned out to be the longest jobless recovery on record.

Current proposals

The president and the House agreed on a stimulus package that spends about \$100 billion on personal tax rebates and \$50 billion on business, by allowing them to depreciate new investments faster than usual, and thereby pay fewer taxes. (Firms can deduct the cost of depreciation from their income to lower tax liabilities.)

The package has some pluses, but it could have been much improved. Thanks to negotiations by House Democrats, \$28 billion more of the rebates will reach 35 million more low-income persons than were included in the initial White House package. Under Bush's original plan, only 8 percent of the rebate made it down to the bottom 40 percent. It's now 21 percent. That gets money to folks who need it, but also helps because those folks will spend the money (rather than save it) and generate more demand.

But the bonus depreciation for businesses is a particularly ineffective form of stimulus. For each dollar of tax revenue we sacrifice in this way, we get back a measly 27 cents in new demand, according to economist Mark Zandi. Of the 13 types of stimulus Zandi tested, this one was the worst. (Making the Bush tax cuts permanent was, at \$0.29, a close second.)

This package, while costing 1 percent of GDP, could boost the economy by less than 1 percent, perhaps around 0.75 percent. That's unacceptable. We should get at least 1-for-1. Any stimulus worth passing should get back at least as much in GDP terms as it costs, and even that's a low bar.

The Senate's plan is a little better in this regard. While spending about the same amount on rebates, it gets them to even more low-income people. (Seniors dependent on Social Security were left out of the House plan.) But Senate Republicans blocked its originally proposed 13-week extension to unemployment insurance (beyond the normal 26 weeks), which offered a strong bang-for-the-buck: A dol-

lar spent here gets you \$1.64 in stimulus. The reason is simple: People unemployed long-term need money and spend money. That's not always the case with rebates.

What's missing

One thing the current stimulus package got right was making payments to individuals. But these are not "tax rebates,"

One of the best things we could do is put Americans to work building needed infrastructure. These projects would put goods in workers' pockets and improve roads and schools.

which implies that the government is returning taxpayers' money to people who overpaid their taxes. Rather, these are checks provided to people in the expectation that they will spend the money on goods and services.

Why is that helpful? Because as they spend these payments, they create demand. For instance, when you buy items at Costco, the store will restock its shelves and re-order goods from its suppliers, a process that maintains employment and wages being paid and spent, all of which boosts the economy. But, to energize the economy, these payments have to be spent, not saved. Better yet, they need to be spent on domestic items, as imported goods stimulate another country's economy.

When the payments are spent domestically, their impact reverberates throughout the economy. The sooner income-constrained households receive these checks, the sooner these payments will help both the recipients and the larger economy, thus achieving the dual goals of both fairness *and* effectiveness.

However, failing to extend unemployment insurance was a big mistake. Such payments have the greatest probability of being spent, and the unemployment insurance system needs to provide a better safety net for low-income, part-time and other workers. Temporary improvements in food stamp allocations and greater assistance for energy bills would also have a similar positive effect.

Providing payments to state and local governments (for their Medicaid costs or

otherwise) would also have helped mitigate rising unemployment. Downturns cause state revenues to fall and spending to rise, especially when they originate in housing markets. That's because, as more people need assistance, public programs kick in. But when states need to balance their budgets, they often respond by raising taxes, cutting services and laying off

workers—slowing down the economy even more. It's necessary for the federal government to provide relief for the states to forestall these desperate moves.

Finally, though it's received scant attention, one of the best things we could do is put Americans to work building or repairing needed infrastructure. Jobs spun off by these projects put goods in the pockets of workers who would otherwise struggle, and the improvements in roads, bridges, schools and sewage treatment facilities can lead to higher productivity, better health and better education. Given the depreciation of our public infrastructure, these efforts only accelerate what we need to do anyway. To be timely, we should invest in projects that are planned or underway, but strapped for resources due to the slowdown. Another advantage is that none of such spending is "saved": While citizens may spend less than two-thirds of the payments made to them, governments spend all the money.

Though a recession has not officially been called, polls show that most people think we're already in one. While this may be a head-scratcher for those focusing on GDP and financial markets, it's clear to us that too many families have been economically squeezed in recent years, even in good times. Imagine what they are likely to face in bad times.

Our political representatives had every reason to quickly pass a package to jumpstart our slumping economy. But they didn't get it completely right. It's up to us to make sure they do. ■

foolish virgins of the parable famous for nearly 19 centuries were mental rather than physical, and in her inconsequential method of reasoning, Mrs. Woodhull closely resembles them. There was cleavage on display Wednesday afternoon on C-SPAN2. It belonged to Sen. Hillary Clinton. She was wearing a rose-colored blazer over a black top, which had a subtle V-shape. The cleavage registered after only a quick glance. She was well-dressed without being overly showy. Pale pink top and jacket. Jacket with stylish Euro-Mandarin collar. Black shoes and slacks. Beautiful silver earring and necklace. Makeup just so, as one might expect from a well-to-do Park Ridge girl. Her high-heeled boots look attractive. Her hair was carefully styled and she wore blue silk stockings. Although not a glamour puss she was still pretty. The amount of makeup she wore made her look like a woman of low moral standards. Her dress (thankfully she was wearing one, lest she look Amazonian) was too tight and a bit hit flattering to her figure. It is safe to say is a woman's good fortune, at least in the eyes of the media, that the commander in chief is the greatest superpower in the history of the word.

CUTTING WOMEN OUT



The media's bias against female presidential candidates

BY ERIKA FALK

VICTORIA WOODHULL WORE “DAINTY high-heeled boots,” observed the *New York Times* in an 1872 editorial on the Equal Rights Party candidate for president. In that editorial, titled “A Lamp Without Oil,” the *Times* had this to say about the successful stockbroker and women’s rights activist:

Mrs. Victoria C. Woodhull has been married rather more extensively than most American matrons, and hence it might be deemed inappropriate to style her a foolish virgin; yet the characteristics which have made the foolish virgins of the parable famous for nearly 19 centuries were mental rather than physical, and in her inconsequential method of reasoning, Mrs. Woodhull closely resembles them.

More than 130 years later, the *Washington Post*, in an article about presidential candidate Sen. Hillary Clinton (D-N.Y.), reported, “There was cleavage on display Wednesday afternoon on

C-SPAN2. It belonged to Sen. Hillary Clinton.” Although Clinton was talking about education policy, reporter Robin Givhan noted, “She was wearing a rose-colored blazer over a black top. The neckline sat low on her chest and had a subtle V-shape. The cleavage registered after only a quick glance. No scrunch-faced scrutiny was necessary. There wasn’t an unseemly amount of cleavage showing, but there it was. Undeniable.”

Despite striking advances over the last century in women’s social and political rights, and in attitudes about women in politics, press coverage of women candidates is not much better today than it was in 1872. The most significant consequence of this is not that, should a woman run, the press would make it less likely for her to win. Rather, the real problem is that such press coverage may make women less likely to run.

Though the mainstream media tend to frame women who run for president as novelties, they are not. Women have led

nations such as Canada, France and the United Kingdom, not to mention Turkey, Pakistan, Sri Lanka and many others. In fact, there have been so many historical and contemporary women heads of state that one has to scroll through pages to get a complete list.

Here at home, women have been running for the presidency since before uni-

In 1988, former Rep. Patricia Schroeder (D-Colo.), a Harvard-educated attorney who had served in Congress for eight terms, ran for president. At the time, she was a senior member of the House Armed Services Committee.

Twelve years later, Elizabeth Dole sought the Republican nomination. Also a Harvard-educated lawyer, Dole had

is still too new, much of the information draws on earlier women candidates.

Less coverage, less substance

Based on these eight races, women candidates for president consistently received less press coverage than equivalent men running in the same race. On average, the men candidates earned

Physical descriptions have included such irrelevancies as the *New York Sun*'s description that Victoria Woodhull's 'hair was carefully parted' or that she wore 'blue silk stockings.'

versal suffrage, as Woodhull's candidacy demonstrates.

In his comprehensive list of people who have run for president, James Havel, author of *U.S. Presidential Candidates and the Elections: A Biographical and Historical Guide*, included more than 100 women's names. Some of these women were serious candidates, qualified for federal primary matching funds, and even received substantial press coverage. Here are a few:

Woodhull ran as the Equal Rights Party candidate in 1872. She owned her own newspaper, was the first woman stockbroker on Wall Street, and presided over and supported her extended family.

The second woman to run for president was Belva Lockwood in 1884. As an attorney and partner in her own firm, and as the first woman to practice law before the U.S. Supreme Court, she had a profession consistent with those of other presidential candidates. Lockwood had also campaigned for presidential candidate Horace Greeley, and drafted a piece of legislation making it illegal to take into account a person's sex in determining pay for civil servants. Congress later passed the bill.

Former Sen. Margaret Chase Smith (R-Maine) sought the presidential nomination of the Republican Party and was the first woman already holding federal office to run. She ran in 1964 after serving nine years in the House and 15 years in the Senate. Smith placed third in popular votes in the Republican primary, but she received only 27 delegate votes at the convention that ultimately nominated Barry Goldwater.

served in the cabinet of two different presidential administrations (as secretary of transportation and secretary of labor) and had executive experience as president of the American Red Cross. She is currently a U.S. senator from North Carolina.

In 2004, former Sen. Carol Moseley Braun (D-Ill.) ran for president, making her the most recent woman to seek the nomination until Clinton's 2007 declaration. A Chicago native, Moseley Braun had served six years as an assistant U.S. attorney, 10 years in the Illinois House of Representatives and one term as U.S. senator. She was the ambassador to New Zealand during President Clinton's administration.

When comparing the press coverage of eight women who sought the Oval Office between 1872 and 2004—Woodhull, Lockwood, Chase Smith, Shirley Chisholm, Lennora Fulani, Schroeder, Dole and Moseley Braun—with the coverage of eight men who ran in their respective races and had similar experience—James Black, Benjamin Butler, Nelson Rockefeller, Henry Jackson, Ron Paul, Richard Gephardt, Steve Forbes and Bob Graham—it's clear women who have run for the Oval Office have not been treated fairly by the press. In fact, this trend became evident after looking at each campaign and the newspaper coverage in each candidate's home state, as well as looking at the top six circulating newspapers in the United States (*USA Today*, *Wall Street Journal*, *New York Times*, *Los Angeles Times*, *Denver Post* and *Chicago Tribune*).

Because data from Clinton's campaign

twice as many articles as the women, and the articles about the men were 7 percent longer.

The available data for the Clinton/Barack Obama (D-Ill.) race was on par with this pattern. In January 2007—the first month of Clinton's and Obama's candidacies—the six U.S. newspapers with the highest circulation ran 59 stories that mentioned Obama in the headline and just 36 that mentioned Clinton.

In addition to giving women less overall coverage, the press gave women candidates less substantive coverage. In the eight races, men were likely to have more issues covered than the women.

The average apportionment of paragraphs dedicated to the issues was 16 percent for the women and 27 percent for the men. In other words, the men had 68 percent more paragraphs written about issues than did the women.

In the first month of her campaign, Clinton did better than most women who preceded her: 22 percent of her paragraphs were about issues. However, that still falls short of the average amount of policy coverage afforded male candidates.

Doting on appearance

Not only does the press skimp on important issue coverage, it is also more likely to include extraneous information. Coverage of how women candidates look—while ignoring such observations about men candidates—has been an ongoing problem of mainstream political reporting.

Physical descriptions have included such irrelevancies as the *New York Sun's* description that Woodhull's "hair was carefully parted," or that she wore "blue silk stockings." They also included the *Bangor Daily News's* observation that Chase Smith was "not a glamour puss" and the *Colorado Rocky Mountain News's* report that Schroeder was "attractive."

Each of the eight women received about four physical descriptions for every one that described a man. And between 1872 and 2004, a substantial change in the media's pattern did not occur. In fact, the newspapers described Democratic candidate Moseley Braun physically more often in 2004 than did the newspapers from Woodhull's race in 1872. In 2000, newspapers described Dole's physical appearance as often as papers described Chase Smith's in 1964.

The press included physical descriptions of men in just 14 percent of articles about them. For women, it was a whopping 40 percent.

Clinton did better on this front than women who preceded her, but still the media did not treat her in a way that was similar to a typical male candidate. About 29 percent of stories about Clinton contained a physical description.

Though most physical descriptions of Clinton focused on the fact that she

was a woman—as in, "female presidential candidate"—her attire still made it into the press.

The *Chicago Tribune* described her this way: "Clinton was well-dressed without being overly showy. Pale pink top and jacket. Jacket with stylish Euro-Mandarin collar. Black shoes and slacks. Beautiful silver earring and necklace. Makeup just so, as one might expect from a well-to-do Park Ridge girl."

When men were described, they were likely to be described by their age and facial expressions. For example, Steve Forbes was regularly described as a "51-year-old" and Bob Graham as "66." Nelson Rockefeller "flashed his biggest grin."

Traditionally, women's appearance has been assumed to be a primary measure of a woman's value, especially in regard to her ability to find a good husband. Though few in contemporary American society would publicly agree with this, the persistence with which the press has commented on the physical aspect of women candidates perpetuates this value system's ideology and legacy.

One concern is that women may be less likely to run if they feel their appearance will become the subject of public dialogue. And voters may conclude that candidates with more physical descriptions should not be taken seriously. Perhaps more cov-

erage of appearance reinforces the prejudiced view that women are first and foremost objects, whereas men are actors.

Chronicling emotions

Historically, the press has also reported on women's emotions more than those of men. Again, in the eight races, women received twice as many emotional descriptions as did the men. Given this, it is not surprising the media is obsessed over Clinton's passionate reply on Jan. 7, 2008, in Portsmouth, N.H., to a question about the challenges of campaigning.

What was surprising, however, was that much of the mainstream press focused on the possible benefit Clinton may have derived from showing the depth of her motivation. This is at odds with traditional coverage. Typically the media focus on emotion in women as a sign of their unsuitability for office.

But this was not entirely absent from the contemporary discourse either.

Former Sen. John Edwards' widely quoted response to Clinton's Portsmouth moment was indicative of the way women's emotionality has been negatively viewed. When asked for his response to Clinton's display of emotion, Edwards said, "I think what we need in a commander in chief is strength and resolve, and presidential campaigns are a tough business, but being

YOU GO LEAD, GIRL!

State Senator Patricia Torres Ray (D-Minn.) has experience with media bias in America's political landscape.

In 2006, when the first-term official was running for office out of her home-based campaign headquarters in Minneapolis, Torres Ray says that her relationship with the media was "an issue that I struggled with."

But her campaign got a needed boost when she attended a conference in Bloomington, Minn., put together by the New York-based White House Project.

Founded in 1998 by women's rights advocate Marie C. Wilson, the White House Project has been trying to improve public perception of female leaders and close the gender gap in elected office.

Over the years, the nonprofit, non-partisan organization has conducted focus groups to compare the response to male and female candidates in political advertisements, contrasted the media coverage of women's campaigns with that of male counterparts, and tallied the number of female guests on influential Sunday morning talk shows.

The White House Project, which has regional offices in Colorado, Georgia, Minnesota and Michigan, is hosting conferences in 10 states nationwide this year.

At the Go Vote, Go Run and Go Lead conferences, project staff and guest speakers train attendees in civic engagement—from how to conduct effective voter registration drives to community



Patricia Torres Ray is a first-term state senator from Minnesota.

organizing to networking to fundraising. (or for those considering elected office). Go Vote is primarily held during election years, while Go Run and Go Lead are an-

president of the United States is also a very tough business.”

The idea that women are too emotional for leadership is part of the stereotype that women have a biological drive toward nurturing and child-raising that makes them emotional and irrational, rendering them incapable of logic and reason—and there-

First, the actual success rates of men and women who were candidates in general elections for state legislatures in 1986, 1988, 1990, 1992 and 1994. And second, the success rates for men and women running for the U.S. House, U.S. Senate and governor from 1972 to 1994.

They found “no differences between

supporters should monitor the media and be vocal against coverage that is sexist, unfair or biased.

And finally, women should frame their candidacies as normal, natural and common in order to overcome the mainstream press’s propensity to portray them as unusual.

The idea that the media systematically—even if unconsciously—put a class of people at a disadvantage strikes at the very heart of our assumptions about our democracy.

fore incapable of leading and legislating.

Going forward

Although it is easy to get demoralized by these findings, we must keep in mind that studies of non-presidential races show that when women run for political office, they win just as often as men do—despite media bias.

In 1997, three researchers—Richard Seltzer, a professor of political science at Howard University, Jody Newman, former executive director of the National Women’s Political Caucus (NWPC) and Melissa Voorhees Leighton, former membership director at NWPC—conducted a study in which they compared two things,

success rates for men and women in the general election.” This suggests that women are perfectly capable of overcoming bias in the press, and these findings should not deter women from running.

For female candidates aspiring to run for elected office, a media strategy plan that compensates for bias is essential.

First, to overcome the press’s tendency to ignore their policy positions, women should run campaigns that emphasize issues.

Second, candidates should project an image of rationality and minimize emotional expressions to overcome the press’s heightened attention to this.

Third, women candidates and their

We should not tolerate press bias just because women can overcome it. The idea that the media systematically—even if unconsciously—put a class of people at a disadvantage strikes at the very heart of our assumptions about our democracy.

America prides itself on being the freest, most equal society in the world. But for that to be true, people must have equal access to power. A press that does not give equal measure to men and women suggests a fissure in that ideal. ■

This article was adapted from Women for President: Media Bias in Eight Campaigns (University of Illinois Press, 2008) by the author.

nual, nationwide events.

Torres Ray, who had attended the Go Run conference in 2005, came full circle when she was invited to speak to a group of 75 women about her personal and political experiences at the Jan. 25 conference in Bloomington, Minn.

“They give you the book, but they also understand how the information in the book needs to be delivered,” Torres Ray says.

Growing up in her native Colombia, Torres Ray never considered moving to the United States, much less running for public office.

Her life’s path diverged when she met Jack Ray, an exchange student from the University of Minnesota, who was working in her hometown of Pasto in south-

east Colombia. The two began dating and were later engaged.

In her 20 years in the United States, Torres Ray worked in a factory to learn English, raised two boys (ages 11 and 13), earned a bachelor’s degree in urban studies and a master’s degree in public policy from the University of Minnesota and then entrenched herself in Minnesota politics.

“I work very hard to get my message across about the work that I do as a legislator, not just a Latina legislator.”

Despite her success, Torres Ray says the media often typecasts her.

“I have not been able to publish my papers relating to education or health care,” she says. “But when I talk about immigration or issues related to the La-

tino community, I get coverage.”

Bolstered by 18 years of experience in various state offices, Torres Ray says she is more optimistic about life inside the state senate: “Internally, I have had an amazing experience.”

This sort of story is typical of many women running for political office, says Liz Johnson, Midwest regional director of the White House Project in St. Paul, Minn. “Women are often leading in their community,” Johnson says, “but not sitting at the head of the table.”

But Johnson is optimistic.

“What is so fascinating about this time,” she says, “is that people are more open to women’s leadership and I think they actually want it.”

—Dan Dineen



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SILENCED IN THE BARRACKS

The Pentagon fails to protect U.S. troops from sexual abuse

BY JESSICA PUPOVAC



WHEN MILITARY SEXUAL ASSAULT survivors call Susan Avila-Smith, she advises them to keep their mouths shut while she works on getting them home.

"It breaks my heart to do that," she says, "but I want to get them out alive and that's my main goal."

Since she left the Army in 1995, Avila-Smith estimates that she has helped about 1,200 rape survivors separate from the U.S. Armed Forces and claim their Veterans Affairs (VA) benefits. As founder of Women Organizing Women, an online support group for survivors of military sexual trauma (MST), Avila-Smith has heard it all. But lately, she's been more sensitive than usual.

"Maria's case has triggered something in me," she says. "I imagine the VAs are filling up right now with women who never even stepped foot in there before."

"Maria" is 20-year-old Marine Lance Cpl. Maria Lauterbach, who disappeared from Camp Lejeune, outside of Jacksonville, N.C., on Dec. 14, 2007, one month before she was expected to give birth. As the local police enlisted the press to help reach out to Lauterbach and solicit information from the local community, it was soon reported that she had recently accused a superior at Camp Lejeune of rape.

Naval Criminal Investigative Service agent Paul Ciccarelli attempted to quell suspicions that the two might be

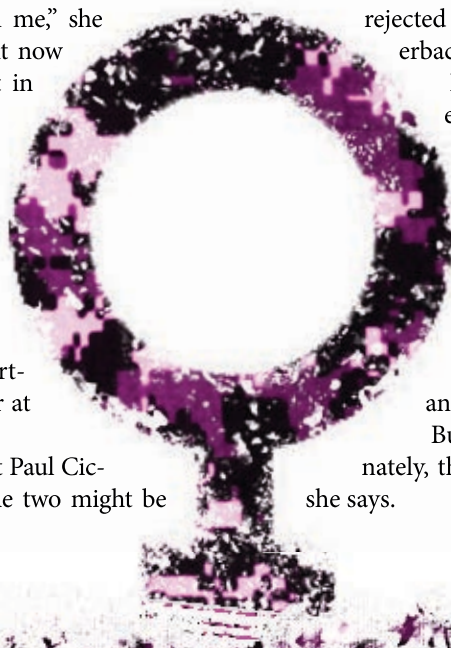
linked, assuring the Associated Press that the "sexual encounter" was "not criminal." On Jan. 10, the *Marine Corps Times*, a weekly newspaper serving military personnel, bolstered this claim, speculating that she may have fled to avoid charges for "making false statements."

That same day, Lauterbach's accused assailant, Marine Cpl. Cesar Laurean, was scheduled to appear at the Onslow County Sheriff's office for questioning. He never showed up. On Jan. 11, Laurean, who had reported for duty for a full month after Lauterbach's disappearance, failed to do so. His wife told investigators that she believed he had left for Mexico and gave investigators a note written by Laurean that said Lauterbach had slit her own throat with a knife, and he then buried her. Detectives have rejected that claim, and an autopsy found that Lauterbach died of a blunt force trauma to the head.

Later that day, her charred body was uncovered in a shallow grave behind the Laurean home. The horrific discovery took place only weeks before she was to testify against Laurean.

The drama set off a media frenzy, with updates on the cross-border manhunt constantly flashing across CNN tickers. Radio and talk show hosts, meanwhile, dissected Lauterbach's character and credibility and questioned the delayed military response.

But Avila-Smith wasn't surprised. "Unfortunately, the way her case was handled is the norm," she says.





Maria Lauterbach was killed weeks before she was set to testify against her accused rapist. Her remains were later found buried in his backyard.

The Lauterbach case, according to Avila-Smith and many others, exemplifies the “criminal failure” of all branches of the military to address sexual assault for what it is—a violent crime. It is a “broken system” that she says puts victims on the defense, grants immunity to assailants and, in the end, puts rape survivors who have the courage to speak out, in even greater danger than if they had just accepted the abuse as collateral damage in their military careers.

Missing the mark

In 2003, a firestorm of media reports and investigations, prompted by an anonymous whistleblower at the Air Force Academy, exposed the prevalence of sexual assault in the armed forces and its training centers. That same year, the results of a study conducted by Dr. Anne Sadler of the Iowa City VA Medical Center found 28 percent of female veterans having suffered MST while on active duty.

In response, Congress called on the Department of Defense to overhaul its approach to sexual assault within its ranks. The 2005 defense authorization bill mandated the creation of the Sexual Assault Prevention and Response Office (SAPRO), which, according to its website, has since served as “the single point of accountabil-

ity and oversight for sexual assault policy.”

SAPRO has made many strides in fine-tuning the Uniform Code of Military Justice and encouraging MST reporting. It has held a range of workshops, trainings and outreach campaigns to define and denounce sexual assault. It also has set up a website to educate service members on how to deal with—and deter—the crime. At the same time, Sexual Assault Response Coordinators (SARCs) and victim advocates have been stationed on every major base to coordinate victims’ services.

However, according to many women, the reforms are missing the mark.

Former Army Pvt. 1st Class Jessica Doe, who prefers that her last name remain confidential, says that after she was raped by an instructor at Fort Eustis, Va., the SARC “blew it off like it was nothing.” Jessica pressed charges anyway, but says all that came of her search for justice was “rumors, scorn and lack of friends within my own unit.” The instructor was verbally reprimanded.

“I lost my benefits and everything,” she says. “I lost my career because the Army was going to be my career.”

Interrogators, not investigators

A 2004 survey of U.S. service members conducted by the Pentagon’s Advisory

Committee on Women in the Services found fear of repercussions to be the number one “perceived barrier” to reporting sexual abuse, noted by 81 percent of female respondents and 73 percent of male respondents.

Confidentiality, career-related concerns and distrust of leadership were also cited by a majority of rape victims.

Marine Cpl. Brittany Thornton says a member of her unit in Okinawa, Japan, raped her on Christmas Day 2005. She reported the incident right away, pressed charges and was put on antidepressants, which she says her commanding officer saw as reason to remove her from her post in weapons maintenance and assign her to a desk job.

“They revoked all of my certification,” she says, “even though my psychiatrist said the drugs wouldn’t affect anything.” As a result, Thornton was unable to go on deployments, while her alleged assailant was “traveling all over the Pacific.”

“I felt like I was being punished,” she says. “I think it was just a way for them [the chain of command] to make things difficult for me because they didn’t believe me.”

The administrative position, however, gave her access to court documents and allowed her to look up her own file. Thornton says she was appalled at what she found.

The CID (or Criminal Investigation Division) agent in her case had taken the liberty to completely revise her account of the assault. “She made it sound like I told her that we went out and got drunk and had sex and I didn’t really want to, and afterwards I regretted it,” she says. “It was nothing like what I had [actually] said.” Meanwhile, her case “went nowhere,” she says, and her assailant eventually received nothing more than a “slap on the wrist.”

‘A different truth’

Former CID agent Sgt. Myla Haider told *In These Times* that Thornton’s case is not rare. “If there was an adequate response to begin with, it might have made it to court and gotten prosecuted,” she says, “but [Thornton’s case] wasn’t any-

thing unusual from what I've seen."

Haider has investigated dozens of rape cases and says she almost always encountered a pervasive "attitude toward victims," that guarantees the failure of the case.

"The investigators themselves," Haider explains, "when working on cases, tended to focus on reasons a victim could be lying." She described seeing "tag team interviews," in which "one agent after another is sent in there to 'get the truth' out of the victim."

"On occasion, that results in the victims becoming very upset," she added, describing one case in which a victim "went running out of the office and declined to cooperate any further."

Every MST survivor interviewed for this investigation told a similar story.

"My CID wasn't an investigator, he was an interrogator," says Pvt. S. Clark, of North Carolina, who preferred her first name not be used. "The thing that I remember is him leaning over the desk, with his cigarette breath, screaming at me, 'Why won't you admit that it was rough, consensual sex between two drunken adults?'"

Clark's attacker had beaten her so badly that, months later, she began having seizures, which her doctors attributed to "cranial tearing." Still, she says, the CID agent "made me feel as if I had dishonored my army and my country by speaking out against another soldier."

Sometimes this attitude, says Haider, leads to claims being recanted. "The law enforcement response makes it so that victims don't want anything to do with the investigation anymore," she says.

Even if the victim continues to cooperate despite being re-victimized by law enforcement, the focus on her credibility happens at the expense of collecting relevant testimony, leaving the case little chance of surviving.

While physical evidence is collected according to protocol, Haider says this can seldom prove anything other than intercourse—useful for "stranger rapes," but irrelevant for proving acquaintance rapes, which are the majority of cases.

"CID training does not focus on evi-

dence collection for acquaintance rape situations," Haider says. As a result, "CID agents tended not to take acquaintance rape seriously."

CID spokesman Chris Grey says that since Haider left the command, it has begun "a very comprehensive Sexual Assault Sensitivity Training program."

Even if the victim continues to cooperate despite being re-victimized, law enforcement then often focuses on the woman's credibility, at the expense of collecting relevant testimony.

However, according to Haider, recent data call into question the effectiveness of that training.

According to the Pentagon's "2006 Annual Report on Military Services Sexual Assault," 18 percent of the cases reported in 2004 were thrown out for being unfounded, unsubstantiated or "lacking sufficient evidence," prior to reaching a court martial.

In 2006, the first full year during which the training program had the opportunity to reap results, the proportion of cases thrown out on the same grounds more than doubled, to 37 percent.

Even when cases do result in commander action, that action is rarely ever a criminal justice response.

In 2006, only 292 cases (out of 2,974 reported) resulted in a court martial. Meanwhile, 488 cases resulted in an "administrative punishment," such as a letter of reprimand, a discharge from the military, forced resignation or a reduction in pay or rank.

"The 2005 reforms have done nothing in terms of offender accountability," Haider explains. "There are public service announcements and ad campaigns that say the military has zero tolerance for sexual assault, but the reality speaks a different truth." She said she doesn't believe there are many rapists in the military, but those that are sexual predators learn quickly that they can get away with it and will in-

evitably go on to attack again.

"They are sending women into combat zones, but not doing what it takes to protect them," she says.

Avoidable tragedy

Protection, however, is not only a matter of deterring crime through punitive

measures. It is also a matter of taking action to protect victims from their alleged assailants after a crime is reported. That responsibility rests in large part with commanders.

Thornton was allegedly left to live in the same barracks as her assailant for a full six months after her assault, despite repeated requests for a transfer.

Sara, a former Airman 1st Class who requested that her full name not be used,

The Face of Homeless Chicago

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says that after her assault in late 2005, she was met with the same indifference.

"I was never granted a protective order, although I asked frequently," she says. "It also took me three months to be granted a new room so that my attacker would not know where I lived. Then they moved me into a room that was closer to his room than the first."

According to Mary Lauterbach, Maria's mother, it's that kind of negligence that may have cost her daughter her life.

Maria Lauterbach had obtained a military order of protection—a feat in itself—but was forced to stay on the same base as her alleged assailant and attend meetings and functions that he would inevitably be at, in spite of her protection order. She was on her way to one such event on Dec. 14, when she was last seen.

Maria's mother is now urging the Marine Corps to take greater steps to remove victims from harms way and put distance between them and their accused assailants.

"We think the Marines could have done more to protect Maria when she made the report," Chris Conard, Mary Lauterbach's attorney, told NBC's "The Today Show." "We know everything was done to protect the accused—perfectly proper. But they could have transferred her to another base, another unit."

"It was an avoidable tragedy," his co-counsel, Merle Wilberding, says.

'The second rape'

Leaving survivors in the same place to fend for themselves also leaves them open to the scorn of their fellow soldiers. Many survivors call it the "second rape"—the moment when they realize that not only their command but their platoon, as well, is going to desert them.

Lauterbach told her mother that Laurean was "very popular" on base, and that after filing charges against him, she was harassed and even punched by one of his friends. Someone even keyed her car.

According to Clark, the private from North Carolina, the hardest part of reporting her assault was losing the "spirit of

brotherhood" that she previously enjoyed in the Army. "They all hated me and acted like I turned on them personally," she says. "These are the people that if you go to war, you're supposed to stand up and take a bullet for them. [Yet] they are the people that will turn their back on you and call you a whore when you are assaulted."

Others were formally punished for making complaints, and hit with charges for "false reporting," "lewd behavior" or "adultery."

Airman 1st Class Cassandra Hernandez, 20, says three of her fellow airmen gang-raped her during a late-night party at Pope Air Force Base in Fayetteville, N.C., in May 2006. She says she reported the incident and sought all of the help available to her. Nonetheless, she wrote in a letter to the governor of Texas, her native state, "I felt like no one was looking out for my interests."

Hernandez says she stopped cooperating with the investigation when charges were filed against her for "lewd behavior" and "underage drinking." The three men accused of gang raping her were offered testimonial immunity in exchange for cooperating with the prosecution.

After much media scrutiny, however, her commander dropped the lewd behavior charge but still gave Hernandez an administrative punishment for underage drinking.

Independence needed

According to the Dorothy Mackey, founder of Survivors Take Action Against Abuse by Military Personnel and a former U.S. Air Force captain and commander, the only way to address the epidemic of sexual assault in the military is by establishing an agency, completely independent of the Pentagon, that would be responsible for investigating and prosecuting rape within its ranks.

"The agency would be two-fold," Mackey explains. "One part that deals with nothing but the victims, and another part that has prosecution authority."

Although such an agency may be difficult to fund, she says, it would be in the

interest not only of military personnel, but also the civilian world. "When assailants' records are kept clean, they return to the civilian world with no record of violent crime and are kept out of the sex offender registry," she says.

In the civilian world, that is significant. Nearly one in four veterans in state prisons nationwide were sex offenders, compared to one in 10 non-veterans, according to a 2004 Department of Justice report.

Mackey believes the military is incapable of policing itself because she says it glorifies violence and shuns individual rights. And she's not alone in her thinking.

"We espouse violence as the means to all ends," says former Maj. Tyler Boudreau, who resigned from the Marines last year after 18 years of military service, and became an avid blogger and war critic. "It is not curious when the individual soldier or Marine packs that brainwashing home with him to his wife or to the barracks where the females live."

Although Boudreau says he preached the need to treat women with respect, the message was overwhelmed by the glorification of violence as a means to establish dominance, for both a man and a nation. That message, he says, transferred into an "intensely chauvinistic" atmosphere.

According to ex-CID agent Haider, the chauvinist culture might explain quite a bit. "Rape is not taken seriously enough in the military because it is a crime that affects primarily women—and women are still not taken seriously in the military," she says. "There is a lot more sympathy if the victim is a man because most agents are male and they can relate to the violation. They are horrified by that. But when it's a woman, it's the opposite. Their attitude is almost contemptuous."

But she hopes that will change.

So does former Pvt. Jessica Doe. "What happened to Maria Lauterbach was a worst-case scenario, but I know she wasn't the first to lose her life like that,"

she says. "I just hope that her loss will open more people's eyes and help us to make a change."

Maria Lauterbach was buried with full military honors on Feb. 2, with her dress blues placed in her casket. Her unborn son, whom she had decided to name Gabriel, was buried beside her in a small, silver casket.

Approximately 900 people attended the funeral service in Maria's hometown of Vandalia, Ohio. Among them was Marine Lance Cpl. Robin Kahle, who drove 900 miles round trip to place her own Good Conduct Medal on Maria's casket. She then paid her respects by reporting her own rape to a high-ranking Marine participating in the service.

"It was a very respectful service," says Avila-Smith, who traveled from her home in Seattle to represent the thousands of military sexual trauma survivors moved by Maria's story, "and a real wake up call." ■

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It's Also the Congress, Stupid

Empowering Capitol Hill progressives is just as important as presidential campaign platforms

BY DAVID SIROTA

DURING ONE OF THE mind-numbing arguments between the candidates, Sen. Barack Obama (D-Ill.) was fighting off the claim that his universal healthcare proposal might not cover up to 15 million Americans. As an academic issue, it was an important exchange. But I suddenly realized: In real-world terms, the back-and-forth didn't much matter.

In this epic race for the Democratic nomination, the most minute policy differences are extrapolated into bombastic TV ads, direct mail pieces and debate one-liners. Amid the noise, few remember that what candidates say or propose can bear little resemblance to what ends up happening once they are in the Oval Office.

As proof, look no further than candidate Bill Clinton who said, "I'd be for [the North American Free Trade Agreement] but only—only—if [Mexico] lifted their wage rates and their labor standards and they cleaned up their environment so we could both go up together instead of being dragged down." And yet, he subsequently steamrolled NAFTA through Congress.

Of course, every presidential election is, in that way, a leap of faith. But we can make an educated guess about what the different candidates' relationship to Congress will likely be—and that relationship dictates the possibilities for progress far more than any campaign promises. For example, in 2000 and 2004, a vote for Bush was a vote to centralize more government power in the hands of the White House, and, just as



importantly, to create a rubber stamp for an extremist Republican Congress. With Bush vetoing the fewest bills of any president since the Civil War, movement conservatives were emboldened by the Bush administration to wield as much raw legislative power as the president himself.

For voters trying to distinguish between Sen. Hillary Clinton (D-N.Y.) and Obama, the question should be who is more apt to empower a Democratic Congress whose seniority and power rests in the hands of committed progressives.

Seniority and ideology

A look across the committee structure

on Capitol Hill highlights a unique opportunity for exponential change under a Democratic president.

In the House, progressives are concentrated in two clusters: New members swept in by the recent wave of anti-Bush sentiment, and senior lawmakers elected in the more progressive, pre-Reagan era.

Liberal Reps. David Obey (D-Wis.) and Charles Rangel (D-N.Y.) chair the two most powerful panels in Congress: the House Appropriations Committee, which oversees federal spending, and the Ways and Means Committee, which oversees taxes.

Another liberal, Rep. George Miller (D-

Calif.), heads the Education and Workforce Committee that will be charged with reforming No Child Left Behind and strengthening labor laws. And progressive stalwart Rep. John Conyers (D-Mich.) heads the Judiciary Committee that could reform or scrap the Patriot Act.

In the Senate, the situation is much the same. Though many mid-level members of the Democratic caucus are rooted in the mealy-mouthed politics of mid-'90s Clintonism, progressive backbone is found among freshman populists like Sen. Sherrod Brown (D-Ohio) and, more importantly, among committee chairs like Sens. Barbara Boxer (D-Calif.), Ted Kennedy (D-Mass.) and Pat Leahy (D-Vt.). These three, respectively, run the Senate's Environment and Public Works Committee overseeing climate change legislation; the Health, Education, Labor and Pensions Committee involved in most domestic policies; and the Judiciary Committee impacting both civil liberties and nominations to the federal bench.

The less these progressives are inhibited by the executive branch and the threat of presidential vetoes, the more progressive change will come from Washington. In other words, the more Ted Kennedy is allowed to be Ted Kennedy, the better.

Clinton: 'hands-on'

Clinton has promised to be a "hands-on" president and criticized Obama for being vague about his policy prescriptions—a surefire sign that her administration would mean heavy executive branch influence over Congress. As political theorist James David Barber might say, Clinton would be an "active" archetype, involved in the most granular details of the legislative process.

In and of itself, this is not a negative. Passing some of American history's most important legislation has required such presidential engagement, from the New Deal program of Franklin Delano Roosevelt to the landmark bills of the '60s shepherded through Congress by Lyndon Johnson.

A domineering executive branch under Clinton, however, poses a potential problem, best summed up by one word: triangulation.

The first Clinton administration would position itself against Democrats in Congress when it believed doing so was politically opportune. In a Republican Congress, such triangulation meant the Clinton White House worked with the right to pass initiatives like NAFTA and welfare reform, to name just two.

In a Democratic Congress today, triangulation could mean stopping the passage of progressive legislation, with a President Hillary Clinton vetoing bills as a way to burnish her so-called "centrist" credentials.

Couple Clintonism's ideological affinity for triangulation with Hillary Clinton's public defense of corporate lobbyists, and the perils come into full relief. It would be no stretch to imagine a Democratic Congress passing some form of single-payer universal healthcare measure, only to have it crushed by a triangulating Clinton veto (or veto threat). The plaudits for such "toughness" would come from both the faux "centrists" in the Washington press corps and the health industry that has given more money to Clinton than to any other candidate.

Obama: Alinsky and lawmaking

The Nation's Chris Hayes recently wrote that Obama's overarching "diagnosis of what's wrong with politics is the way it is conducted rather than for whom." Put another way, it's not the "what" but the "how." Fix how politics is waged—build a "working majority," as Obama says—and solutions to big problems will come.

This is a theme of famed activist Saul Alinsky, whose community organizations Obama worked with as a young man in Chicago.

As Alinsky wrote in *Rules for Radicals*, the best organizers possess "a belief that if people have the power to act in the long run, they will, most of the time, reach the right decisions." A President Obama would probably apply such a principle to Congress.

Thanks to Obama's nonconfrontational message of hope and "unity," he would be elected less with a mandate to enact anything specific than a mandate to get things done—almost irrespective of what those things are.

In James David Barber's terms, Obama would be a more "passive" president, like the one he credited with political acumen: Ronald Reagan.

The Gipper spent his political capital outlining overarching themes—and he avoided Capitol Hill brawls. A Democrat in that Reagan mold working with an assertive Democratic Congress clearly has more potential upsides than downsides.

Certainly, Obama has, on occasion, rhetorically triangulated against fellow Democrats. He once appeared on NBC's "Meet the Press" to publicly lambaste proposals to withdraw troops from Iraq. However, his concrete legislative actions (votes, bill sponsorships, etc.) have been solidly progressive, suggesting his general aversion to conflict-charged vetoes would be most pronounced when dealing with progressive legislation.

To again cite the healthcare hypothetical, it is easy to imagine a President Obama calling for universal healthcare with certain broad parameters, letting Democratic congressional leaders wage the trench warfare needed to pass it, and then signing a final bill—even if it ended up being more progressive than what he had in mind.

Admittedly, predicting future presidential behavior is all conjecture, and the known qualities of the candidates could produce far different results. Clinton's "hands on" style could result in a string of legislative victories for progressives that would have been impossible without that leadership style. Likewise, Obama's potential aversion to the veto pen might halt him from obstructing progressive bills, but it may also prevent him from stopping conservative ones that should be blocked.

Though the media's obsessive focus on presidential politics may lead us to believe the White House is all-powerful, Congress has been central to most of history's great reforms.

That means this race is not just about which candidate appears more progressive—but also about which candidate will allow progressives in Congress to be strongest. ■

SENIOR EDITOR DAVID SIROTA'S *new book is called* *The Uprising: An Unauthorized Tour of the Populist Revolt Scaring Wall Street and Washington. It will be released in May of 2008.*

All For None

Split on the candidates, unions hope to unite over a common agenda

BY DAVID MOBERG

ALWAYS A MAJOR force in Democratic politics, the labor movement is playing a peculiar role in this year's presidential primary.

Although the candidates have been more openly pro-union than at any time in the past several decades, labor unions only marginally affected the outcome in the early contests. But they have deeply, if sometimes indirectly, influenced the overall political agenda. And labor's hope for legislative victories now lies as much with its fledgling parallel campaign to build a popular movement to push for its goals as it does with any particular candidate.

As the candidate of "change" and opposition to the war in Iraq, Sen. Barack Obama (D-Ill.) clearly gained both significant victories and momentum from Super Tuesday balloting. Yet despite his strong support for unions in Illinois, only a few unions nationally have supported him. That leaves organized labor largely outside the growing movement around Obama's candidacy—a popular movement that labor will need to accomplish its goals.

But most of the reasons that unions didn't initially coalesce around Sen. Hillary Clinton (D-N.Y.) still hold them back: Their members are divided, and some union leaders are unenthused about her candidacy. Yet according to exit polls, union members—as well as voters with less education, lower incomes and more economic anxiety—favored Clinton in most Super Tuesday states. Obama beat Clinton among young, well-educated, fi-

nancially secure and independent voters.

The strategic choice for unions remains difficult, much as it has since the beginning of this long campaign.

Take the case of Nevada, where unions were supposed to be a major influence. When John Edwards finished second in Iowa, he hoped that the Las Vegas Culinary Workers, the politically influential UNITE HERE local union of casino workers, would resurrect his presidential campaign. But Edwards, whose campaign had aggressively championed unions, failed to get the Culinary Workers' endorsement and ended up with only 4 percent of Nevada caucus votes. That led to a weak showing in South Carolina, forcing Edwards to drop out altogether.

Edwards' ties to UNITE HERE ran deep. In 2004, UNITE—the pre-merger garment worker half of the union—was the only union to endorse Edwards' first presidential bid. Then in 2006, Edwards joined with HERE—the hotel wing of the union—to travel around the country, promoting new organizing and supporting a nationwide contract campaign. The experience deepened his conviction that, as he said then, "the best anti-poverty program is a union."

Early last year, a UNITE HERE endorsement of Edwards seemed certain. Nearly the entire executive board of the union supported Edwards, and the Midwest Joint Board was allowed to work for Edwards in Iowa. But the 60,000-member Culinary Workers, which is UNITE HERE's biggest local, faced tough contract talks and

wanted to recruit all of the Democratic candidates to join its fight. As the campaigns unfolded over 2007, the Culinary Workers began talking about the failings of the Edwards campaign in Nevada and about Clinton's popularity.

As a gambling town, Las Vegas looks down on losers. But one disappointed Edwards supporter in UNITE HERE argued, "Any union should have been behind Edwards, even if he was negative 2 percent in the polls. His whole political persona comes out of interaction with UNITE HERE. In some ways, he has made the most extraordinary run—from a labor perspective—in decades. Why would a politician ever do anything for this union again?"

After his win in the Iowa caucuses, a few UNITE HERE leaders pushed for Obama, but it wasn't until the evening of the New Hampshire primary a few days later that they all agreed to endorse him. They all still thought highly of Edwards, but as Chicago-based UNITE HERE Vice President Henry Tamarin—the union's sole Obama backer from the beginning—says, "The good arguments for John Edwards were trumped by the argument that what the labor movement has to figure out is how to win. A good candidate who can win trumps an ideal candidate."

Clinton, who few UNITE HERE leaders supported, runs a greater risk of losing in the fall and, according to Tamarin, "has no ideological bearings or vision, while Obama does."

But with the late endorsement, the Culinary Workers couldn't help Obama



Sens. Barack Obama (D-Ill.), and Hillary Rodham Clinton (D-N.Y.) point into the stands following a presidential forum hosted by the AFL-CIO in Chicago on Sept. 7, 2007.

SCOTT OLSON/GETTY IMAGES

overcome Clinton's popularity in Nevada, especially among Latinos, who make up 40 percent of the union's members. Meanwhile, its reluctance to embrace Edwards early had deeply hurt his attempt to rally other labor movement leaders and members to his side. Some labor strategists also speculate that, much as they agreed with Edwards' combative challenge to corporate power, many workers are uncomfortable with the prospect of open conflict or don't want to see themselves as victims.

The deep divisions within the labor movement—and within each individual union—kept many influential unions from making national endorsements.

Still, Clinton garnered the most support, including unions such as AFSCME (public employees), the Teachers, the Machinists and several building trades. Unions such as the Steelworkers, Mineworkers, Carpenters, Transport Workers and many important state councils from the Service Employees (which made no national endorsement) had initially backed Edwards. Until UNITE HERE joined his camp, Obama had received backing from only the Plumbers and some state councils of the Service Employees and AFSCME.

Yet even unions that endorsed remained divided: a group of AFSCME leaders, for example, sharply criticized AFSCME-financed ads attacking Obama in Iowa (especially because the ads criti-

cized him for opposing individual health-care mandates, which AFSCME also officially opposes).

"If we could have coalesced, we could have hand-delivered any candidate," argues Chuck Rocha, Steelworkers political director.

But such unity was impossible and seems unlikely even now, as some Edwards supporters, including the Transport Workers and several Service Employee state councils, switched to Obama.

And many union leaders are angry that former President Bill Clinton charged—without any evidence—that Culinary Workers officials were threatening members if they didn't vote for Obama, giving anti-union conservatives a convenient club to use against labor's key proposal for labor law reform.

But for many union members, "the biggest thing that helps Hillary is George W. Bush," says AFSCME Illinois Director Henry Bayer, an Obama supporter. "By comparison, the Clinton years look like salad days, but if you go back and analyze the record, not much was done for working people."

All the leading candidates this season have talked about enacting healthcare reform, protecting the middle class, reassessing trade policies, challenging corporations, reversing the rise of inequality and helping unions organize more freely. Edwards and, to a lesser extent, former presi-

dential candidate Rep. Dennis Kucinich (D-Ohio) pushed the candidates toward labor's more economic populist positions.

"It's undeniable that the labor movement has in large part framed the debate for the election in 2008 and will continue to do so," says AFL-CIO Organizing Director Stewart Acuff.

The AFL-CIO has already launched a campaign for healthcare reform, as well as member education campaigns on the economy, organizing rights and trade. It has also endorsed the Communications Workers' proposal to build an army of politically active union stewards.

Like the AFL-CIO campaign, the Service Employees' five-year-old campaign for healthcare reform focuses on several broad principles.

But the labor movement remains divided over whether to push for single-payer, Medicare-for-all plan or attempt to strengthen some less satisfactory plan, such as those proposed by both Obama and Clinton.

The California Nurses Association, for example, is running an aggressive public campaign for a single-payer plan, which 32 state labor federations and 14 international unions have endorsed in principle. And after California failed to enact a complex, compromise insurance plan based on mandating individuals to buy insurance, Sal Rosselli, president of the Service Employees' giant West Coast healthcare local, concluded, "We need to coalesce all progressive organizations and come up with a national strategy that's more like Medicare-for-all."

Important as the election will be, the labor movement is likely to win its goals only if it can turn that political energy into an effective, lasting force with progressive allies.

"You're not going to bring change in this country through the presidents of the 12 biggest unions or through the Democratic Party, which is too tied up with the corporations," argues Roger Tauss, Transport Workers political director. "The model is 1932, when FDR didn't run as a progressive, and social movements pushed him to do the right thing."

The model may be right, but the movement has yet to be created. ■

Jose Padilla Brings Torture to Trial

Can a DOJ lawyer be held accountable for advocating the inhumane?

BY DOUGLASS CASSEL

WHEN ON JAN. 22 a federal court judge sentenced Jose Padilla to 17 years in prison for conspiracy to commit terrorism, it was a one-day story. But, in fact, the Padilla case goes on.

Padilla, a U.S. citizen and former Chicago gang member, alleges that he was tortured during the more than three and a half years he spent behind bars at a Navy brig in South Carolina. He is now suing John Yoo, the former Justice Department lawyer who reportedly devised the legal theories to justify the interrogation techniques used against him.

While Padilla's suit raises a number of constitutional claims—including that the military violated his rights to counsel and to exercise his Muslim religion—the heart of his argument is that Yoo gave legal advice to justify his torture, in violation of due process of law as guaranteed by the Fifth Amendment to the Constitution.

Padilla, who is separately appealing his recent conviction, asks the court to rule that his treatment violated the Constitution, and to order Yoo, now a law professor at the University of California at Berkeley, to pay him \$1 in damages.

The suit raises important questions of law and fact. Are lawyers liable for giving bad legal advice to federal officials?

In August 2002, Yoo, then an attorney in the Justice Department's Office of Legal Counsel, wrote a formal opinion letter advising that interrogation techniques are not torture unless they inflict pain equivalent to "organ failure, impairment of bodily function or even death." The new head of the Office of Legal Counsel, Jack Goldsmith, later withdrew Yoo's opinion.

Goldsmith, now a Harvard law professor, explains in his book, *The Terror Presidency*,



that Yoo's reasoning was "legally flawed" and "tendentious." It seemed "more an exercise of sheer power than reasoned analysis." Even so, was it the proximate cause of any mistreatment of Padilla?

However such questions are resolved, Padilla's allegations of his treatment, if true, ought to shame a civilized society.

'Measurably abnormal'

Padilla charges he was imprisoned in a seven-foot by nine-foot cell in the Navy brig in Charleston, S.C., for nearly four years. For the first 21 months, he says he was denied all contact with anyone outside the brig, including family and lawyers, leaving him with interrogators and guards as his only human contact.

He alleges he was allowed no watch or clock, nor any news about the outside world. The only window in his cell was blacked out. When he was allowed out of

his cell, his eyes and ears were covered.

Periodically, he says, he was subjected to absolute light or darkness for periods in excess of 24 hours. He was subjected to extreme temperature variations in his cell, where his bed consisted of a cold steel slab with no mattress, pillow or blanket. He says brig guards and others deliberately banged on his walls and bars at all hours of the night. For hours at a time, he says guards kept him shackled and manacled, or forced him to sit or stand in uncomfortable and painful positions.

Worse, his interrogators allegedly threatened to cut him with a knife and pour alcohol in the wounds. He says they also threatened to kill him, or send him to a country where they said he would receive far worse treatment. Against his will, they allegedly administered chemicals, which Padilla believes were psychotropic drugs.

When his lawyers were finally allowed

access to him, he was not permitted to tell them about prison conditions.

If Padilla's allegations are true, they qualify as torture under international law: the intentional infliction of severe physical or mental pain for purposes such as interrogation. The U.N. Committee on Torture and the Inter-American Court of Human Rights have held that *incommunicado* detention—even for periods far shorter than Padilla endured—is torture. They have also ruled that combinations of sensory deprivation techniques amount to torture, as well.

According to Padilla's complaint, a "substantial body of clinical literature and expert opinion ... holds that restriction of environmental and social stimulation has a profoundly deleterious effect on mental functioning, and that even a few days of solitary confinement predictably causes brain patterns to become measurably abnormal."

It would drive anyone mad.

Waging 'lawfare'

Yoo has castigated Padilla and his lawyers at the Yale Law School clinic for waging "lawfare," which Yoo calls "another dimension" of the terrorist war against the United States.

In a Jan. 16 op-ed in the *Philadelphia Inquirer*, Yoo complained that terrorists use cases like Padilla's to press "novel theories that have failed at the ballot box."

If their legal theories are novel, Yoo can thank himself: Never before has the Justice Department sanctioned prolonged, mind-altering brutality on a U.S. citizen.

Still, suing a government lawyer for rendering legal advice, no matter how injudicious, ought to give pause. Such lawsuits could deter creative thinking by attorneys trying to protect the public. If allowed at all, they should be confined to rare and extreme cases, such as Yoo's torture memo.

There are limits on what advice lawyers may give. After World War II, German government lawyers who wrote memos and orders depriving Russian prisoners of war of their Geneva Conventions protections, and authorizing the forced disappearances of political prisoners, were convicted at Nuremberg. Would authorizing torture of prisoners have made

them any less guilty?

Although the suit against Yoo does not seek to convict him of a crime, it does aim to hold him civilly liable—for a symbolic \$1 in damages—not only for the torture, but also for his legal advice that allegedly led to violations of Padilla's constitutional rights. Those include the rights to counsel, access to court, due

criminal trial did not rely on any coerced confession by Padilla, these alleged violations have not been subject to judicial oversight.

Curbing an imperial presidency

If Padilla overcomes this hurdle, others remain. Yoo may contend that he is entitled to absolute immunity, as are pros-

The U.N. Committee on Torture and the Inter-American Court of Human Rights have held that *incommunicado* detention—even for periods far shorter than Padilla endured—is torture.

process of law, freedom of religion, rights to information and association, and his rights to be free from inhumane conditions of confinement, cruel and unusual punishment, coercive interrogations and improper military detention.

In pressing these wide-ranging claims, Padilla's lawyers face daunting legal obstacles. Unlike most damages suits for violations of basic rights, civil rights law does not authorize their lawsuit. By necessity, Padilla's suit rests directly on the Constitution. While the Supreme Court has authorized suits for damages based solely on violations of the Constitution, it does so sparingly—when the violations would not otherwise be subject to judicial or effective oversight and, even then, only if no special factors weigh against the wisdom of creating a new cause of action.

Only one of Padilla's claims—under the Eighth Amendment—has arguable Supreme Court precedent. Some claims may fail on the ground that they are subject to judicial oversight in the criminal proceedings against him. Others may be rejected because they deal with gray areas of national security law, where legal mistakes should not result in damages suits.

But Padilla should probably be allowed to try at least his core claims—that the torturous confinement and interrogation techniques violated his Fifth Amendment right to due process, and possibly his Eighth Amendment right not to be subjected to cruel and unusual punishment. To the extent the prosecution in his

ecutors when presenting their cases to a court. But Yoo more likely will be granted only the "qualified immunity" afforded to prosecutors when they advise police on interrogation techniques, or to the attorney general when he authorizes national security wiretaps without a judicial warrant.

If Yoo is granted qualified immunity, he can be held liable for his erroneous legal advice only if it violated "clearly established statutory or constitutional rights of which a reasonable person would have known." In this case, his legal advice plainly did: Yoo's memo legally authorized torture.

But the issue is not so simple.

Yoo's overriding legal rationale is that the president's powers give him constitutional license to override any law—including laws against torture—if he deems it necessary to wage a war. The courts may thus need to consider whether any reasonable lawyer could advise that the Constitution allows the president to disregard all law during wartime.

Finally, the government might decide to assert the "state secrets" privilege to quash Padilla's claims, on the ground that the claims cannot fairly be adjudicated without probing secret intelligence methods and communications.

Unless barred by the state secrets privilege, Padilla's suit will likely break new ground. Far from a case of "lawfare," it promises to strengthen the rule of law by clarifying whether and when government lawyers can be held accountable for ill-considered legal advice. ■

BY JARRETT DAPIER

A Playwright's Traumatic Vision

Christopher Shinn is about to become a force in American theater. The 32-year-old New Yorker's first play, "Four," about a quartet of lonely individuals on July 4, premiered at London's famous Royal Court Theatre in 1998 when he was only 23. He has since written six

plays, four of which premiered in London before appearing in the United States.

In 2005, he won an Obie for playwriting and a Guggenheim fellowship. His work has been produced at some of the country's leading theaters, including New York City's Lincoln Center, the Manhattan Theatre Club and California's South Coast Repertory.

A former student of Tony Kushner's, the prolific young playwright's latest play, "Dying City," is about an Iraq War widow who is visited by her dead husband's twin brother. It deals with war, betrayal, love, torture, child abuse and post-traumatic stress disorder. Ben Brantley of the *New York Times* described the play as an "unsettling study of domestic sadism and subterfuge" that "brought the war home."

In *These Times* interviewed Shinn as he was revising his new play, "Now or Later," about a Democratic presidential candidate and his gay son on election night.

Voluble and intensely thoughtful about America and its "manic narcissism," Shinn discussed class, artistic dissent and Comedy Central's "The Daily Show."

In your plays, you often focus on your characters' class backgrounds and how they affect their behavior. Where did you gain your insights on class issues?

My mom is from a family without much money and my father grew up in an upper-middle-class family. These two worlds were incredibly different. So, as I

was growing up, I saw that the resources one had made a really big difference.

I grew up in an economically diverse town that borders Hartford, Conn. My father, who was not particularly sympathetic toward the poor, nonetheless had a great interest in the different neighborhoods of Hartford, and we'd often go for early morning weekend drives through the city's streets. There I saw the most profound and unimaginable poverty—and only five minutes away from my middle-class town. This really excited my imagination: What was it like to be rich? What was it like to be poor? When I got to NYU, I met kids who clearly did not have exposure to different classes, and I was astonished at their ignorance.

Many of your most complex characters are teenagers. Why are you fascinated with this age group?

If I were not a playwright, I would be a psychoanalyst who treats severely disturbed adolescents. How our society treats children and adolescents is appalling. We sexualize them and, at the same time, we infantilize them. Adults long to be like them, and even be friends with them, while wishing to exercise authoritarian control over them. So many contemporary adults embody the worst of both worlds—an immature authoritarianism. The double binds and mixed signals we send to adolescents lead inevitably to either mental illness, addiction, or identi-

fication with corrupt or abusive adults.

If the truth is snuffed out at adolescence, it's going to be difficult to ever recover—which is exactly what capitalism wants: submissive subjects who in no way question the society they're entering, or who rebel against this society's depredations through addiction or nihilism rather than through a constructive, proactive attempt to reshape it.

The subjectivity one begins to build at adolescence is precious, and there are very few places that encourage it. Art and thoughtful psychotherapy, as well as thoughtful teachers, are all we have. And we're up against an ideology that's been at work on these kids since their first flickering of consciousness.

How would you describe your experience as a gay teen in the early '90s?

I remember tearing up during Bill Clinton's '92 convention acceptance speech when he mentioned briefly how gays are scapegoated. That was incredibly moving. I was 17, and to hear a mainstream politician say, however subtly, that it was not OK to hurt gay people—to have that kind of validation—can't be underestimated.

But it was still miserable growing up gay. I imagine it will always be miserable, whatever superficial and genuine strides we make. This has to do with the fact that it's simply really challenging to come into one's sexuality, whether one is gay or straight or anywhere in between. Sexuality is traumatic. But because of homophobia, homosexuality is more likely to be intertwined with all kinds of traumas.

The more homosexuality is tolerated, the greater becomes the resistance among those threatened by it, leading to even greater negative consequences for gay teenagers.

Given the fact that bisexuality is a potential in all human beings, and this idea



New York playwright Christopher Shinn tackles issues of class, war and politics.

threatens many people, homosexuality will continue to be a profoundly complex and divisive issue.

What did you know about “Dying City” before you started writing it?

I try to structure my plays intuitively because, at the deepest level, any work of art represents the movements of the psyche in grappling with trauma. We do not plot out our sufferings in a logical manner in real life—we merely suffer.

The play was structured like a trauma, and the trauma was disguised in three characters. It looked at the profound questions about the links between sexuality, violence, deceit and the truth. I wanted the work to inflict a trauma on the audience—to be something they’d have to struggle with rather than passively experience.

After Abu Ghraib, I knew that the play would center around sexuality, because it seemed that a deep unconscious link no one was making about our reasons for fighting the war had to do with a hatred of “the other” that has become defensively sexualized.

I wanted to illuminate war by exploring the sexuality at the heart of an American

couple and an American family. I started the play with an image of sexual violence that, for me, would be the traumatic kernel around which the play would develop.

At the end of “Dying City,” Kelly, numb with despair over the death of her husband in Iraq, sits alone in her apartment and watches “The Daily Show.” Why did you choose that as the play’s final image?

I think “The Daily Show” is a flight from the tragic for people. Cynicism in our culture has a power we don’t acknowledge. To combat it, we need to feel and think about things in a deeper way than we do now.

That final image is a quiet plea that the audience think more deeply about themselves and their country. Go beyond just making jokes and identifying the bad guy and leaving it at that. I mean, Clinton was bombing Iraq for eight years before Dubya. If we think that the problems with our country are just George W. Bush’s doing, then we’re in a lot of trouble.

I see a lot of young playwrights in America writing apolitical works that don’t engage with social reality. Why do you think that is?

Nonprofit theaters rely on funding from

corporations and wealthy individuals. It’s likely that liberal audiences and funders are deeply invested in the current structures that have allowed them to make and preserve their wealth, and it’s unlikely that they are truly interested in seeing work that questions the ideological foundations that support their class status.

Artistic directors, who rely on this funding to keep their theaters afloat, are likely—consciously or not—choosing work that appeals to the ideological prejudices of the audiences that sustain their theaters.

This is not a time of great ideological dissent in the art world. There’s a sense among artists today that the world is the way it is and that’s it.

But you refuse to think that way.

We can’t use the way things are as an excuse to give up or to create art that reinforces the dominant ideologies of our country. Artists have thrived in societies much more oppressive than ours. And it’s important to remember that.

We have to remember we’re able to write what we want to write—so far—without being censored or put in jail. We might not get all the audiences we want, but no one is stopping us from doing the work that we think should be done. To me, the artist’s responsibility is to do the work.

Where should the artist begin?

Any artist needs to come up with a theory of human nature. And mine has to do with an inherent vulnerability in people, and their attempt to escape that vulnerability through a narcissistic denial of reality. That’s been around since the Greeks and Shakespeare’s tragedies.

I hope my plays can be so emotionally truthful that they break through that impenetrable shell of narcissism that characterizes the contemporary American and delivers audiences over to the tragic core of their vulnerability. If I can break through that shell, there’s a chance that each audience member will be a little more compassionate to others and a little more empathetic to people’s suffering. ■

JARRETT DAPIER is assistant publisher at *In These Times*. Also an actor and drummer, he is currently performing in “Hephaestus,” a Greek mythology circus tale, at Lookingglass Theatre in Chicago.



Wrapping up its fifth season, 'The Wire' drags the casualties of the drug war into our homes.

BY BRIAN COOK

Joys of 'The Wire'

In a recent story in *The Nation*, Chris Hayes used 2,200-plus words to argue why progressives should back Sen. Barack Obama. I'll use only seven: Obama's favorite TV show is "The Wire." It's certainly true, as Hayes noted, that Obama, like every

presidential candidate, won't be saying one word about the prison-industrial complex or the disastrous consequences of the "war on drugs." But it's heartening to think that at least he's tuning in to one of the few public forums that fiercely drags such issues into our consciousness.

Throughout its five seasons on HBO, "The Wire" has created riveting fictional drama out of the residents living, policing and selling dope on the streets of Baltimore. Described by its co-creator David Simon as the ultimate "anti-cop show, a rebellion ... against the horseshit police procedurals afflicting American television," "The Wire" obliterates easy dichotomies of "good cops" and "bad drug dealers." Instead, it builds morally complex characters on both sides of the law

whose individual decisions are largely shaped by political and economic forces outside their control. After detailing the ravages of the drug trade in its first season, the show broadened its scope in each subsequent season, examining the city's collapsing industrial sector (and unions), political system, public schools and, finally, journalistic institutions.

The result has been a show that can't seem to garner enough critical accolades: "Extraordinary" (*San Jose Mercury News*), "revolutionary" (*Entertainment Weekly*), "Dickensian" (*New York Times*) and "the best television show ever" (*Salon and Slate*). And yet quietly simmering beneath this loving consensus, there have been recent murmurs of discontent and unease with the show's portrayal of inner-city America.

In the January issue of *The Atlantic*, Mark Bowden cited the qualms of Yale inner-city sociologist Elijah Anderson. “I get frustrated watching it,” Anderson told Bowden, “because it gives such a powerful appearance of reality, but it always seems to leave something important out. What they have left out are the decent people. Even in the worst drug-infested projects, there are many, many God-fearing, churchgoing, brave people who set themselves against the gangs and the addicts, often with remarkable heroism.”

“This bleakness,” Bowden followed up, “is Simon’s stamp on the show, and it suggests that his political passions ultimately trump his commitment to accuracy or evenhandedness.”

Bowden’s concerns have been echoed online, from both the right and left. Conservative cultural critic Reihan Salam, blogging on *The American Scene*, argued, “David Simon thinks he’s constructed a critique of capitalism, but in fact he’s prepared an elaborate moving brief for despair and (ultimately) indifference.” On the other side of the spectrum, at the *American Prospect Online*, Ezra Klein wrote plainly of Simon’s “nihilistic, unrelentingly grim vision.” Simon himself hasn’t done much to dissuade such readings: Last year, he told *The New Yorker* that “*The Wire*” is a story about “the decline of the American empire,” which steadfastly maintains, “no, we are not going to be all right.”

But these criticisms are remarkably off-base, in a number of ways.

The silliest of the recent critics is Anderson, whose desire for a Manichean fairytale in which “God-fearing, churchgoing, brave people ... set themselves against the gangs and the addicts” is *precisely* the type of falsely comforting delusion that “*The Wire*” aims to explode. “*The Wire*” depicts its share of individual acts of bravery by conventional heroes—police officers getting shot while in the line of duty, citizens testifying against drug dealers despite menacing death threats.

But what makes the show so powerful is that it extends such admirable traits to characters who are not unambiguously good. “*The Wire*” recognizes that a hero-

in junkie struggling mightily against his addiction, or a “corner boy” who refuses to cede his territory to a rival gang member in the face of certain death, can act more courageously than, say, a “respectable” police official who is willing to mute his personal conscience in order to flat-

‘The Wire’ obliterates easy dichotomies between ‘good cops’ and ‘bad drug dealers.’ Instead it builds morally complex characters who live precariously on both sides of the law.

ter his superiors and advance his career. In “*The Wire*,” morality is not defined by what one *is* (whether churchgoer or gang member), but by what one *does*.

If Anderson’s critique is most obviously wrong-headed, the others are no less muddled. Taken as a whole, “*The Wire*” has made several arguments about the direction of American society over the last three decades. Among them: the “drug war” has not only been futile, but devastating to the black underclass; the government has essentially abandoned the working class in post-industrial America; the defunding of our public institutions has had disastrous consequences, most conspicuously for our education system; and when the demands of profit have become so all-consuming that notions like “the public good” are cast aside as quaint, something valuable is lost. “*The Wire*,” then, is a searing indictment of the contemporary United States. In response, Bowden equates its “bleakness” with political bias and thus questions its accuracy, and Klein conflates its grim view with nihilism. But these assertions beg the central question: Is Simon’s grim view of American society, and the plight of the black underclass in particular, warranted?

Evidence suggests it is. The findings in, say, *Punishment and Inequality in America*, the 2006 book by Princeton sociologist Bruce Western, are not happy. Western notes that blacks are incarcerated at a rate eight times higher than whites, that 60 percent of black high school dropouts are either imprisoned or ex-convicts, and that if one includes prisoners when calculating

unemployment rates, joblessness among black high school dropouts jumps from 41 percent to 65 percent. In a majority-black city like Baltimore, where half the adult black male population is unemployed and where an estimated 60 percent of high school students drop out, foregrounding

the disastrous consequences of such statistics—or better yet, crafting a compelling narrative that humanizes them—is not nihilistic. Indeed, it’s a necessary first step if such disparities are ever to be rectified.

To Salam’s credit, he at least marshaled evidence for his argument that the plight of the black underclass was not necessarily as bleak and predetermined as “*The Wire*” might suggest. Salam cited Princeton sociologist Katherine Newman, whose 2006 book *Chutes and Ladders* tracked the fortunes of 40 working poor minorities across a decade. Though far too small a sample size to draw broad conclusions (which Newman was careful to note), she did find that nine had been able to break into the middle class, suggestive, at least, that even at the bottom rungs of the economy, upward mobility is still possible. To Salam, such possibility flies in the face of “*The Wire*,” which he claimed, “is ultimately premised on our inability to engage in self-help, and especially, the inability of the black poor. It is about *their* lack of agency and their status as eternal victims.”

To answer this charge, one could note that Newman also found that one-third of her subjects were either still unemployed or working for minimum wage, and that the decisive factor for the success stories was whether they belonged to families who could support them (or whether they didn’t need to support a family themselves). In other words, personal agency had little to do with it.

But Salam’s (and others’) charges against the show’s worldview are wrong

at a much more fundamental level. Despite its heavy subject matter, “The Wire” is an absolute joy to watch.

Much of this pleasure is derived from how well-crafted the series is. Its plotting is intricately structured, with themes and subthemes playing symphonically throughout the series. It also provides all the thrilling twists and turns of any great serial. Its characters are almost lovingly drawn: complex, sympathetic, flawed, human. The dialogue is not only painstakingly realistic, but often wildly funny. The performances—from an ensemble cast of more than 70 actors—are uniformly excellent. In this way, “The Wire” suggests an answer to the intractable social problems it details: If we approached those problems with the same care, attention to detail, passion, intelligence and love as its creators collectively bring to the show, the world would be a better place.

But ultimately, the show is most enjoyable because—contra Salam—the value it holds most high is struggle. Its heroes and anti-heroes might be victims, but they are not passive. Rather, they are actively driven by a dissatisfaction with the status quo. What marks the show’s few villains are their complacency and acceptance of “the way things are.” What defines the show’s heroes is that they will *fight*—their clueless bosses, their politicians, their rivals, their lovers, their addictions, themselves.

Will they win these struggles? This season, most signs point toward “no.” But rather than despair, that leads me to recall the words of journalist I.F. Stone:

The only kinds of fights worth having are those you’re going to lose, because somebody has to fight them and lose and lose and lose until someday, somebody who believes as you do wins. In order for somebody to win an important, major fight 100 years hence, a lot of other people have got to be willing—for the sheer fun and joy of it—to go right ahead and fight, knowing you’re going to lose. You mustn’t feel like a martyr. You’ve got to enjoy it.

The bleakest thing about “The Wire” is that it’s ending after the current season. “Desperate Housewives,” meanwhile, is set to go on until 2011. Now *that’s* a depressing thought. ■



In *Up the Yangtze*, Yu Shui walks through a market in Chongqing City, China.

FILM

Apocalyptic Activism at Sundance

By Pat Aufderheide

THE SUNDANCE FILM Festival is now the most important U.S. market for independent film. Because of the writers’ strike, perhaps 15,000 additional folks from television and film programming and distribution showed up this year for the annual January festival, shopping for potential content. Because of that, Sundance can determine if the rest of us will see important new films on our television sets and in theaters. It’s both an arbiter and an indicator of media for public knowledge and action.

This year, documentaries were must-see films—as well as hot sellers. Some of the films worked hard to fill gaping information holes in our mass media. A good example was the Grand Jury Award-winner, *Trouble the Water*, a moving film about Hurricane Katrina as a social catastrophe, told by longtime Michael Moore crew members Tia Lessen and Carl Deal, using home-movie footage of a Ninth Ward resident.

Perhaps the most distinctive theme was what you might call “apocalyptic activism,” in which filmmakers appeal to viewers to mobilize political will for democratic change in the spirit of *An In-*

convenient Truth. These films showcased the passion of individual filmmakers, the lack of mainstream media coverage of systemic problems, and the hazards of trusting to individuals—however well-motivated—for critically important information. They’re also examples of what dot-com magnate and sports entrepreneur Ted Leonsis calls “filmanthropy,” an entrepreneurial approach to getting good word out through documentaries by involving potential partners and viewers in using, promoting and paying for them.

Leonsis’ own Sundance entry, *Kicking It* (directed by Susan Koch), was one of the most instantly successful “filmanthropy” films, a wild success with audiences and quickly sold to ESPN for worldwide release. It, too, raises questions even as it tugs effectively on heartstrings. The film chronicles the Homeless World Cup, a gimmicky festival in which homeless men from around the world play soccer, improving their self-esteem and team-building skills. This therapeutic, triumph-of-the-human-spirit approach, always a sentimental favorite, is hard to swallow as a global social program. But at the premiere, Leonsis proudly told the audience that they could help end homelessness by going to the website to support a team.

In *Fields of Fuel*, winner of the Audience Award, director Josh Tickell thumps appealingly for biodiesel as a way to reduce dependence on foreign oil and increase air, land and water purity, as well as national security. Tickell showcases an

engaging persona as a confident, youthful activist, who evolves from a brash biodiesel nut to someone who understands organizing, partnership and the challenge of bucking corporate power. But he's also pitching to people who aren't moved by conservation, and he has a far more optimistic view of biofuels than do many environmental organizations, which note that corn production takes almost as many inputs as ethanol provides outputs. What's more, high soy production could ravage rainforests. (Tickell does note that corn production for ethanol is far inferior to soy for biodiesel, but he doesn't do a global calculation.) He also chronicles the long history of pro-oil policies that have deferred to Detroit, and he pushes viewers to support clean-fuel policies and to make clean-fuel choices.

The workmanlike and sometimes lovely *Flow: For Love of Water*, by Irena Salina, persuasively argues that chronic poor management imperils the planet's water supply. It also shows how big business in-

terests in privatized water, with the help of the politicians they buy off, are making problems worse. Species survival will depend on our ability to make politicians listen to us, the film argues, and *flowthe-movie.com* offers some ideas. After this film, you'll never buy bottled water again. But the makers hope that's just the first step. Tearing down dams will be necessary, and that will take a powerful amount of political will, combined with big change in consumption habits for the electricity those dams provide.

IOUSA, by Patrick Creadon (beloved for the 2006 documentary *Wordplay*), makes a familiar argument—balancing the budget is a question of national, social and economic health—as it tracks members of a fiscal-responsibility coalition on a national tour. The chipper little group, leaning toward the conservative end of the spectrum, valiantly travels from hotel ballroom to hotel ballroom, carrying its message that politicians are punished for balancing budgets and so encourage

spendthrift policies that guarantee our national indebtedness to other nations, especially China. The way out, the team argues, is to elect fiscally responsible politicians. Sadly, the film suffers from the crippling lack of charisma of its leading characters, including the U.S. Comptroller General David Walker, and often you feel bad for these earnest speakers facing a sprinkling of AARP types at their “town halls.” Furthermore, the film focuses narrowly on the little group, leaving no space for a counterargument.

Other, more traditional approaches to documentary films displayed seasoned craft, research and storytelling. They also revealed some of the strengths of traditional independent documentary—using stories to reveal social complexity and the human experience of a social reality.

Up the Yangtze, for instance, directed by Canadian Yung Chang and produced through the National Film Board of Canada, is aesthetically elegant, emotionally rich and politically provocative. A voy-

[art space]



AMERICA'S LEAST WANTED

Over the last 10 years, New York-based graphic artist Mark Michaelson has collected more than 10,000 mugshots taken between the 1870s and 1960s.

He published his first book of mugshots last fall and currently has an exhibition at Chicago's Intuit: The Center for Intuitive and Outsider Art (www.art.org). The show, "Least Wanted," features the forced portraits of small-time outlaws in all their full vintage glory.

Some photos list the city and date of the arrests. Others have notes scrawled on them, such as "Dead" or "Jail."

The Chicago show ends April 12, but some of the *Least Wanted* photos can be viewed online at www.flickr.com/leastwanted.

— Anna Grace Schneider

age of international tourists going up the Yangtze in a luxury liner is tracked through the experience of a young girl who joins the staff. Despite her dreams of high school, her family has sent her there from their soon-to-be-flooded farm by the Three Gorges Dam. Besides being an astonishingly multifaceted film that puts a human face—or, rather, faces—on globalization, *Up the Yangtze* is also a beautifully shot and paced film, which is best seen in a theater. You'll be able to do that before it shows up on the public broadcasting series *P.O.V.* this year.

Peter Galison and Robb Moss' *Secrecy* argues with gravity and grace that our national spy agencies are hobbled by secrecy policies inherited from the Cold War, and which can't keep us safe in an open-information environment. This film reaches across partisan lines, appealing to those who see a need for national intelligence but fear its usefulness may be compromised. It's a thoughtful and dense film, which trusts viewers to judge the argument for themselves. (It contrasted well with Morgan Spurlock's *Where in*

the World Is Osama bin Laden?, which was even more superficial than his *Super Size Me*; animation, video-game references and ADHD editing carry the shallow point that most Muslims worldwide are not terrorists and that they are scared of U.S. geopolitics.)

Sundance docs this year not only showcased excellent craft but also a passionate urgency to engage viewers as citizens. But apocalyptic activism is also an informational Wild West, where anyone can passionately promote anything.

Documentaries lack the traditional editorial approval process of mainstream media, a fact that has liberated some makers to take a fresh look at issues. Without context and discussion, however, such documentaries run the risk of merely becoming tools of new special interests.

Public media need vigorous public debate to go with them. Social networking tools combined with social movements that use them and a maturing field of citizen journalism that mixes up the professionals and amateurs could provide that debate. ■

BOOKS

The Next Great Awakening

By Kim Bobo

A FEW YEARS AGO, a young union organizer asked me, "Which are the good churches and which are the bad ones?" He wanted a quick (and intellectually easy) way to understand which faith bodies would be the most supportive of workers' rights.

"It's not that simple," I told him. His question was like asking, "Which are the good unions and which are the bad ones?"

Understanding faith communities, especially understanding the complexities of the evangelical and Catholic worlds, is now an easier task, thanks to two new books, *The Great Awakening* by Sojourners Editor Jim Wallis and *Souled Out* by syndicated columnist E. J. Dionne. Though written in different styles—the preacher (Wallis) and the political journalist (Dionne)—together offer insight into religious activism and the possibilities for a more progressive approach to religious engagement in the public square.

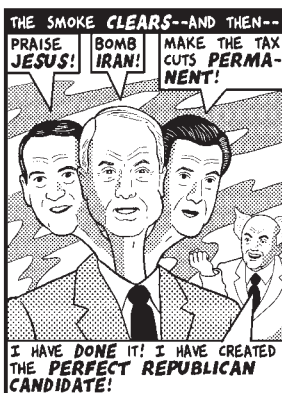
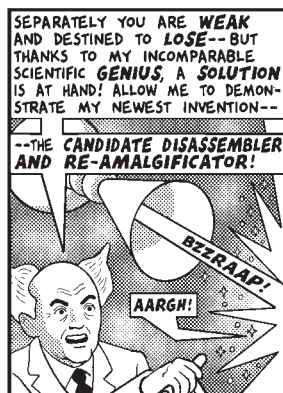
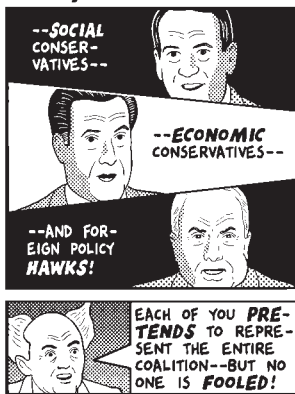
The strength of Wallis' book lies in its stories. They include impressions on the diversity of the religious community and on encouraging cases of evangelicals who are engaging in social justice. Few writers have talked with evangelical leaders and spoken at religious events more than Wallis. *The Great Awakening* reflects upon evangelicals' concerns with poverty, and observes that the Right has lost its stranglehold on many white members.

As I know from my work as executive director of Interfaith Worker Justice, a national network that mobilizes people of faith in support of economic justice, evangelical and Pentecostal traditions have a long history of supporting working class struggles. And the best indicator of whether a church will do so is based on where the workers attend services.

When coalmining members of Four Square Gospel churches in Appalachia go on strike, those churches get involved. When janitors who are members of Pentecostal storefront churches seek a con-

THIS MODERN WORLD

by TOM TOMORROW



tract, that church gets involved. When an unethical employer cheats members of a mega-church out of their wages, leaders of the church are likely to join a delegation to visit the employer, praying on the employer's home doorstep until wages are paid.

Though such congregations are often written off as "conservative," many are willing to advocate for workers if their members are affected. On the flip side, a wealthy congregation may be liberal on cultural issues but less likely to engage on worker justice issues. In other words, class matters—often more than theology.

Dionne's book is an excellent complement to Wallis'. Like Wallis, Dionne was raised in a loving Christian family in Fall River, Mass. But unlike Wallis, who is evangelical, Dionne is Catholic.

Both are frustrated with Christians who would focus all their time advocating for children before they are born but then forget about them after birth. Dionne writes:

Speaking as one of those progressive Catholics, our anguish grows from our own affection for the Church, the debt we feel we carry for its moral guidance ... and for its passing along the inspiration of Christian hope. Over the years, the disdain that some liberals showed toward the Catholic Church and other churches bothered us—especially because so many of us came to what are seen as liberal views largely because of, *not* in spite of, Christianity and the church.

While *The Great Awakening* recounts stories from an activist preacher who traversed the nation, *Souled Out* gives facts, analysis and inside details on religious leaders' views. Dionne is well-equipped for the task, having covered the Vatican for the *New York Times* in the mid-'80s.

Many of Dionne's chapters are must-reads for progressive activists. In a chapter titled "Why the Culture War Is the Wrong War," he points out that the United States has always had a culture war. (Remember prohibition?) On the other hand, there are the varying poles of opinion. Dionne suggests that 15 percent to 20 percent of the population is largely religious and staunchly conservative and another 15 percent to 20 percent is largely secular and staunchly liberal. The rest he calls the "warring middle." Many of them are people of faith who care deeply about the economy, living wage and social programs for poor

excerpt



CHARGE OF THE KEYBOARD BRIGADE

From Great American Hypocrites: Toppling the Big Myths of Republican Politics (Crown, April 2008) by Glenn Greenwald, a daily blogger on Salon:

Our coddled, cowardly warriors on the Right ... have made masculinity and Tough Guy iconography a central part of their political identity. ...

Jonah Goldberg—*National Review* editor and *Los Angeles Times* columnist—has the audacity to run around talking as though he's George Patton—all because he types from his house about how great wars are and about how "we" (meaning others) must "punch one of them in the nose as hard as you can and then stand your ground" and insists that "the United States needs to pick up some small crappy little country and throw it against the wall, just to show the world we mean business."

War cheerleading is the hallmark of these right-wing tough guys. And indeed, when asked why, despite being of prime fighting age, he never bothered to enlist during the Iraq War, ... Goldberg replied:

"As for why my sorry ass isn't in the kill zone, lots of people think this a searingly pertinent question. No answer I could give—I'm 35 years old, my family couldn't afford the lost income, I have a baby daughter, my ass is, er, sorry, are a few—ever seem to suffice."



In other words: I am a full-throated Supporter of the Epic War of Civilizations, but I can't fight in it because my knee hurts and I need to collect advance checks ... and I want to stay home and wipe dribble from my baby's chin. But those people over there can and should fight. And in between watching "Star Trek" and playing war video games, I will periodically draft articles ... about how great these wars are and I, too, will therefore be strong and noble, resolute and brave.

families, but they are also concerned about divorce rates, garbage shown on television and rampant consumerism.

In another chapter, Dionne writes that the "central divide among religious Americans" is "over government's role in alleviating poverty."

If we are ever to engage larger numbers of people of faith in addressing the barriers to ending poverty, we must talk about the importance of private and public responses. We can affirm the private responses that congregations and individuals undertake, while at the same time acknowledge the limitations of such efforts to address society-wide problems.

The three-decade attack on the role of the government has undermined people's belief that it can be useful. But public programs have done great things and could do

more. Secular progressives must reach out to their more religious brethren to build widespread political support for them.

For those of us who are active in religious communities—and even more so for those of us who actively organize people of faith in justice matters—these books offer great hope. They document what we know from our own work: The right wing is losing its tight grip over evangelical communities. Similarly, within the Catholic community, many progressives are developing new ways of engaging congregations.

"There is very good reason to believe," Dionne concludes "that in the coming years, Americans' religious communities will no longer be seen as the natural allies of political conservatism."

That would be a great awakening indeed. ■

BY TERRY J. ALLEN

The Malign Magic of Misdirection



IT'S THE OLDEST trick in the book. The magician flashes the shiny object to misdirect the audience's attention from the real action. In the theater of politics and economics, the

magic consists in getting people to focus on poor options so as to shift their sight from wider, more fundamental possibilities for reform. Distracted by half-truths and seduced by shortsighted strategies, we squander time, energy and political capital.

Think of it as the plastic vs. paper bag choice at the grocery store check-out line. Forget about parsing the relative carbon footprints and recycling potentials. Even if one bag is marginally less worse for the environment, both paper and plastic are lousy solutions. Reusable bags are the way to go.

Misdirection proliferates: We are distracted by arguments over such fundamentally flawed propositions as whether it is unhealthy to drink milk from cows dosed with bovine growth hormones (BGH) or eat meat from cloned cows.

Or whether increasing gas mileage of cars, substituting alternative fuels and switching to hybrids are effective strategies for countering global warming.

Should we help the environment by consuming Midwest lamb rather than chops all the way from New Zealand?

How can we alter lifestyle choices to lower cancer risks?

Is irradiated food toxic?

Is Sen. Hillary Clinton's or Sen. Barack Obama's proposal the better solution to America's healthcare crisis?

Although each of these misdirections glitters with argumentative allure, they give aid and comfort to sloppy thinking and relatively trivial positions. The wrong question is unlikely to yield the right answer.

The problem with cloned meat, BGH milk and irradiated food is not the danger to personal health. Even if real, these risks pale in comparison to economic and environmental effects.

Safe to eat or not, meat from cloned animals should be banned because the proliferation of such herds would strengthen the worst aspects of factory farming and weaken the genetic pool. Cloned herds would take enormous up-front costs and become a monoculture crop of genetically identical animals susceptible to the same stresses and diseases.

The key harm from treating a dairy herd with BGH is not to us, but to cows and independent farmers. The treated cows burn out quickly and get sick; the farmers become economically dependant on chemical companies for the next fix of the drug.

And the larger impact of irradiated food is to allow manufacturers to sell fecal matter-laced foods, create a market for nuclear waste, and endanger workers and the environment. The argument over whether irradiated food is safe to eat is largely a distraction.

While raising fuel economy for the family car is a good thing, it is no substitute for an extensive public transportation system. Nor is the switch to biofuels—which raises global food prices by diverting farms from food production, encourages clearing new land and, in the case of palm oil production, devastates communities and the environment. Rather than providing an economically and

environmentally sound solution to the oil crisis and global warming, these short-sighted choices allow us to perpetuate an insane system.

As for the lamb chops: It turns out that the carbon foot (hoof?) print of New Zealand lamb, which graze in open pastures, is lower than that of Midwest sheep that rely on factory farming, drugs, and grain raised with pesticides and chemical fertilizers. But the distinction is tiny. The critical problem centers around the amount of meat we eat and the way we raise animals.

When it comes to cancer, until research money goes into examining the effects of carcinogens in the environment, and until we ban the poisons, lifestyle tinkering will do little to lower most cancer rates. (Smoking being the big exception.) But eliminating environmental carcinogens is less profitable than treatment—and far less attractive to pharmaceutical companies or to politicians reaping largess from polluting corporations.

And finally, neither the Obama nor the Clinton health insurance plan does the one thing essential to lowering costs and improving access to quality healthcare: Eliminate profit from the system by cutting out the insurance companies and for-profit hospitals. By shying away from fully funding health-care with tax money, both plans diddle around the edges of the problem and create convoluted systems that diffuse demands for fundamental change.

When the magician is waving the shiny object, it is sometimes hard to focus on the other hand that is quietly picking our pockets and stealing our future. ■

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Maps

Continued from back page

between the maps it provides and other data sets.

Google Earth is the crown prince of the search engine's mapping realm. The downloadable, interactive globe combines the thrill of a first-time flyer—Look, Mom, the people look like ants!—with a near-superhuman sense of control and mobility. With a click you can stand the Earth on its head and shake change out of its pockets. Selecting Google Earth icons can lead you to offbeat video clips to the all-important location of the nearest Starbucks. As the Google Sightseeing blog puts it: “Why Bother Seeing the World for Real?”

The program comes with its own built-in “layers” that pinpoint the locations of parks, landmarks and boundaries. Through its Google Earth Outreach initiative, the company has supported efforts by nonprofits to use the program for advocacy and activism. Early adopters have included the Global Heritage Fund (mapping endangered historical sites), the Jane Goodall Institute (mapping endangered primates) and Fair Trade Certified (mapping sites that protect endangered coffee growers).

While new interfaces make adding content to the program ever-easier, developing a layer for Google Earth still

takes time and tech savvy. But working with the company's 2-D cousin—Google Maps—is easier. Google Maps has allowed (as so often happens on the Web), people's preoccupations to blossom.

Google Maps Mania, a personal blog run by Canadian Mike Pegg, documents the world as seen from hundreds of different perspectives. You can track UFOs, point yourself toward Mecca, find out where your pet fish is from or browse books by their geographical location. Or, if you're the Secret Service, you can request that Vice President Dick Cheney's house be blurred on Google Maps for security purposes. After all, no one likes being watched, right?

Mapping the mappers

Multimedia designer Sha Sha Feng recently completed a Master of Fine Arts project at Hunter College in New York titled “MapaboutMaps,” using Google Earth as a platform to host video interviews about new directions in mapping with geographers, artists and programmers.

“I'm a home-grown cartographer,” artist Nina Katchadourian told Feng in one interview. “If my paying attention to something creates a situation where someone else suddenly pays attention to something and that makes things a little active and interesting for them, then I'm

happy.” Katchadourian's work remixes printed maps in tactile ways that reveal a more subjective experience of geography—such as Coastal Merger, a map that glues East Coast to West Coast to reflect the artist's bicoastal life experience.

Feng was particularly interested in examining the role maps can play in building community. She interviewed Wendy Brawer, the founder of Greenmap Systems, a website that engages local mapping teams to chart their communities' natural and green living landmarks, including farmers markets, organic food producers, fair trade shops, indigenous sites and the best spots for star-gazing. “Maps are very personal objects,” says Brawer. “People look for themselves on them.”

Participatory mapping tools have “opened the world of maps from a few to many,” says Feng. “Maps are powerful tools. Many people take them as fact, but they tell the story that the creator wants you to see. Grassroots communities and artists welcome this technology because it allows their voices to be heard.”

Feng is currently working with artist Andrea Polli on a project called 90°S, which maps weather changes, images and soundscapes from McMurdo Station in Antarctica, where scientists are gathering global climate data. Feng notes that Google Earth data for the region is relatively scarce compared to the geographical information available for urban centers—a form of virtual gentrification.

Google isn't the only site offering mashups—just the most high-profile one. While MapQuest is still the number one site for those looking for simple directions, Microsoft's Virtual Earth and Yahoo! offer mashup tools too. And content-focused sites like Flickr and Twitter encourage users to attach their creations to locations, creating new personal geographies.

But while mashups and social software have opened the horizons of cartographic creativity, the maps themselves are still proprietary—Google and others own them and make them available to users as part of their marketing strategy.

The rise of the neogeographers

In contrast, projects like OpenStreetMap eschew commercial or govern-

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ment-owned maps in favor of data generated directly by users. Volunteers generate “traces” by walking or cycling routes while carrying a GPS tracker, and then upload the results and edit them online. Following the precepts of open source software and Wikipedia, the project encourages collaboration and makes the results free for others to use. The site has a lively discussion board populated by amateur geographers, many of whom organize “mapping parties” to survey specific locations.

Watching the watchers is, again, a popular theme for do-it-yourself mappers. For years, the Surveillance Camera Players mapped the location of cameras around New York City, using them to stage performances and walking tours. The group collaborated with the Institute for Applied Autonomy on its iSEE project to develop a Web-based map that lets users plot their routes along “paths of least surveillance.”

Terminal Air, another project of the institute, maps the movements of planes suspected to have been involved in the CIA’s extraordinary rendition program.

Radical geographers sometimes skew geographical conventions to make points. At Worldmapper, maps are morphed according to the subjects they treat. A map of “often preventable deaths” presents an Africa that resembles a lumpy bunch of grapes, while Latin America stretches

skinny and Dalí-esque. The distortions represent large numbers of deaths.

Another map, from the Doctors of the World network, fills the familiar shapes of the continents with ratios of inhabitants per doctors. While the U.S. ratio averages around 400: 1, much of Latin America hovers just below 1,000:1, while regions of South Africa top out at 50,000: 1.

We no longer go to maps to find out where we are. Instead, we tell maps where we are and they form around us on the fly.

Complex networks

Enthusiasm for mapping the physical world online is matched by zeal for mapping territories so large and abstract as to be almost unimaginable. Computer networks are the most common subjects for data-intensive mapping projects. But the term “networks” is also used to describe many other kinds of relationships.

The Visual Complexity website, curated by interaction designer Manuel Lima, provides a gorgeous and perplexing gallery of maps that represent complex networks. One intimate map tracks the structure of adolescent sexual networks among 800-plus Midwesterners, branching out in long chains of pink and blue bubbles.

In another, Linkfluence’s Map of the Political Blogosphere, blue bubbles represent progressive bloggers, red conservative, with purple and yellow scattered in between and at the periphery. A rat’s nest of links reveals that the ideological spheres talk mainly among themselves, with occasional crosslinks for critique and finger-pointing. Click on a blog and

you’ll see its popularity.

Similar popularity contests are commonly available on personal social network sites like Facebook. Users can map themselves among networks of friends, assessing, at a glance who is the most connected. In the parlance of social network analysis, this cluster of connections is our “ego network”—a fitting term for the personalized mapping environment.

In many ways, these mapping tools are re-locating us as the center of our personal universes. We no longer go to maps to find out where we are. Instead, we tell maps where we are and they form around us on the fly, a sensation that can be comforting or stifling. After all, while finding the right map can orient you, having dozens can threaten to tip the signal-to-noise ratio toward cacophony.

On balance, though, the democratization of mapping and visualization tools generates possibilities for self-expression and social action. Two decades ago, postmodern theorist Frederic Jameson argued that developing new maps would be central for activists hoping to grapple with the emerging global business and communication systems. “[The] incapacity to map socially is as crippling to political experience as the analogous incapacity to map spatially is for urban experience,” he wrote.

The tools are now available. The question now: Where do we go from here? ■

JESSICA CLARK, In These Times editor-at-large, is coordinating a conference called *Beyond Broadcast: Remapping Public Media* (www.beyondbroadcast.net), which will be held in the Washington, D.C. area on June 17.

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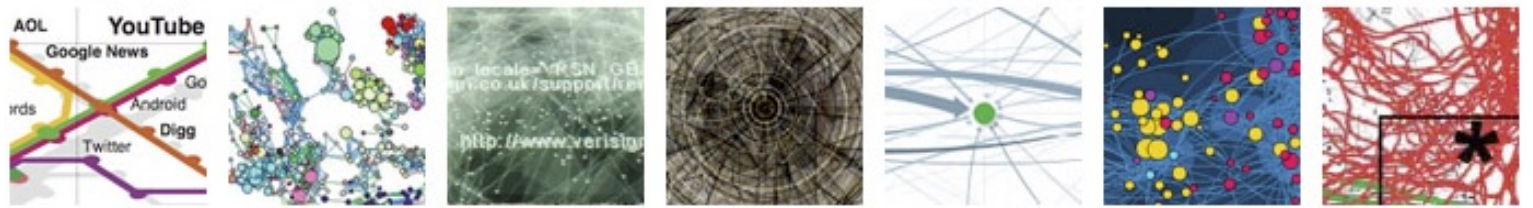
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THE NEW CARTOGRAPHERS



What does it mean to map everything all the time?

BY JESSICA CLARK

IT'S FLU SEASON, AND you're feeling woozy. Have you caught that thing that's going around?

To find out, head over to Who is Sick?, a Google map-based tool that lets users report their symptoms. Plug in your zip code to find nodes of contagion near you.

Or maybe you're depressed. Misery loves company. Check the local emotional temperature at We Feel Fine to see data-mined sentiments from blogs, organized geographically.

Maps are everywhere these days. The ubiquity of global positioning systems (GPS) and mobile directional devices, interactive mapping tools and social networks is feeding a mapping boom. Amateur geographers are assigning coordinates to everything they can get their hands on—and many things they can't. "Locative artists" are attaching virtual installations to specific locales, generating imaginary landscapes brought vividly to life in William Gibson's latest novel, *Spook Country*. Indeed, proponents of "augmented reality" suggest that soon our current reality will be one of many "layers" of information available

to us as we stroll down the street.

Like other technological innovations, this trend gives with one hand and takes with the other.

For some, mapping has become a vibrant new language—a way to interpret the world, find like-minded folks and make fresh, sometimes radical, perspectives visible. For others, maps portend threats to privacy and freedom of movement. Just see Privacy International's Map of Surveillance Societies Around the World, which classifies the United States as an "endemic surveillance society."

Google builds it, people come

Credit former President Bill Clinton for kicking this all off. In May 2000, he signed an executive order removing "selective availability" from the government's GPS transmission, a protocol that introduced errors into coordinates transmitted to receivers not approved by the military. But it's Google that has powered the amateur mapmaker craze, by allowing "mashups"

CONTINUED ON PAGE 46

